In addition, this is a terrible precedent. For decades, the Public Works and Transportation Committee, as our Committee was known back then, worked diligently in support of efforts to take the Aviation and Highway Trust Funds off-budget. And it was just because of budget games such as this that were played with Trust Funds that spurred that effort. We made real progress in TEA 21 where, for the first time, highway spending levels are linked to revenues coming into the Trust Fund. If the Appropriators are able to use the Trust Fund for budget gimmicks today, what is to stop them from doing so again in the future. Perhaps we should be thankful that the rescission in this bill is ''only'' $320 million, when, I understand, it could have been a lot more. But we must stop manipulating the Trust Fund and the highway program for illusory budget reasons.

But perhaps most important is the impact on state transportation plans and programs. States receive contact authority each year in accordance with TEA 21 in the various highway program categories. They are able to target obligation authority (which is typically less than contract authority) received each year among the various programs to meet specific transportation priorities and needs. This flexibility is needed by the states to properly manage and plan to ensure the most efficient and effective highway program. If suddenly a state must give back contract authority (and I understand DOT will require an across the board return of contract authority from among the various funding categories), states lose this vital flexibility. And some states may have large amounts of contract authority in only a few categories, so that impact would be felt more deeply in other programs.

I understand this rescission has been justified on the basis of budget authority ''savings'' that were necessary to meet target spending levels. It is distressing that the Transportation Committee offered up over $1 billion in savings from the loan guarantee program under the Air Transportation Safety and System Stabilization Act of reducing the outstanding loan authority down to the value of all pending loan applications. However, conferees did not avail themselves of this option and instead chose to focus on the highway program.

The proper course of action to take would be to restore this contract authority as we continue the appropriations process for fiscal year 2003. I trust the appropriators and leadership will work with us to ensure this correction is made.

Mr. Speaker, we simply cannot begin to play with the highway contract authority given to the states. We have never required them to ''give back'' contract authority already distributed. This is a very dangerous precedent and I trust we will go no further down this road in the future.

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of this very important legislation.

I want to express my sincere thanks and happiness that the funding for New York's recovery has been included in this bill.

I would like to also note that this legislation includes $90 million for a longterm study that will be conducted by Mt. Sinai hospital to track the health impact of 9/11 on the dedicated and courageous response-and-recovery workers at the World Trade Center.

However, while I am pleased that this study was included and that we are taking care of the utilities, I must say that I am very troubled that this bill does not contain any funding to aid the New York City Board of Education with its costs because of the September 11th terrorist attack.

I, along with many members of the New York Congressional Delegation, and especially my friend and colleague Representative JOHN SWEENEY, who tried to include the aid in Committee, have been working on this important issue since the Board came to us with their concerns. Because of the attack, the Board has incurred costs such as making up for lost instructional time, clean up and repair of impacted buildings, transportation for relocated students, and the loss of perishable food and lunch revenues. Our goal simply has been to obtain for the New York City schoolchildren the same kind of aid that was made available to the Northridge schools following the 1994 earthquake. FEMA indicated that it wanted to help, but lacked the necessary authority.

After months of correspondence with FEMA, we believed that to provide the Board with this funding, language needed to be included in the Supplemental Appropriations bill directing FEMA to reimburse the Board. However, even after the inclusion of such language by our colleagues in the other body, FEMA and OMB have indicated that this language is not sufficient, and the FEMA still lacks the authority to reimburse the Board. I am very disappointed with FEMA's inability to come to the aid of New York City's schoolchildren, who have done nothing wrong and deserve to have the best possible educational experience.

Mr. Speaker, the events of September 11th are unprecedented in our nation's history. As a result, President Bush pledged that his administration would do whatever it takes to rebuild New York City. While we appreciate his support and much of the good work that has already occurred, the red tape that seems to be tying up the aid for the New York City schools must be cut as soon as possible. I am hopeful that we will be able to come to some resolution with FEMA so that the Board can continue its preparations for the upcoming school year.

Mr. STARK. Mr. Speaker, I rise today in opposition to the Supplemental Appropriations bill for Fiscal Year 2002.

The Republicans have created a bill that throws important priorities in with a laundry list of poor choices. I can't in good conscience vote for a bill that in one breath provides billions in new funding for defense while cutting a reasonable investment in America's infrastructure and public housing.

I can't support a bill that authorizes spending—to the tune of $29.8 billion—that the President already said he would veto. It is critical that we make funding for transportation safety available as quickly as possible. But we can't be effective if we don't provide the funding the Transportation Safety Administration says it needs. The Secretary of Transportation says passage of this bill will delay the installation of screening and detection systems needed to keep weapons and explosives off our airlines.

This bill opens the door for U.S. military involvement in Colombia, moving us one step closer to being mired in a civil war there. I cannot support this, just as I have always opposed the United States giving funding to other nations to purchase weapons that might be used to wage war or harm innocent civilians.

This bill also withholds funding for critical UN family planning efforts that are vital in combating poverty and hunger throughout the world.

I do support a great deal of what is funded in this bill. We must crack down on corporate fraud. We should make college more affordable for all Americans by boosting Pell Grant funding. We need to do more to help the victims of domestic violence and assist poor mothers and their children. We should assist local communities and first responders in their emergency preparedness efforts. We ought to boost the security of our transportation systems and at our ports.

America should also be a responsible force abroad as well by helping Afghanistan rebuild, giving needed humanitarian aid to refugees, and providing support to vital global health care initiatives like the fight against HIV/AIDS.

I support all of these important endeavors. But, unfortunately, this bill is far too flawed to gain my vote. I urge my Republican colleagues to think about what our priorities should be and consider the consequences this bill imposes on our nation's and the world's future.

Mr. YOUNG of Florida. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 5120, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2003

The SPEAKER pro tempore (Mr. LEWIS of California). Pursuant to House Resolution 488 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5120.

□ 1510

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5120) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of

the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes.

The Chair designates the gentleman from California (Mr. DREIER) as the chairman of the Committee of the Whole, and requests the gentleman from Washington (Mr. HASTINGS) to assume the Chair temporarily.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Maryland (Mr. HOYER) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am pleased to present to the House H.R. 5120. This is the fiscal year 2003 appropriations measure for Treasury, Postal Service and General Government. I believe we have a good bill, Mr. Chairman, one that puts the proper focus on homeland security and Federal law enforcement, on securing the borders and protecting our homeland.

I am pleased to say this bill has the support of the gentleman from Maryland (Mr. HOYER), the ranking member. I know that the gentleman from Maryland (Mr. HOYER), as many of us, continues to have concerns about different provisions in this bill. That is common, and I am committed to resolving the concerns of all Members as we wind our way through the legislative process.

Briefly, I would like to explain something about the overall numbers in this bill. We have received certainly a fair, a very good allocation from the chairman, the gentleman from Florida (Mr. YOUNG), on our subcommittee's portion of this year's appropriation. Our committee's allocation is a total $18.5 billion in discretionary resources for fiscal year 2003. In the charts that accompany the report, some indicate that the level appears to be below the President's request by some $207 million. Although that certainly appears attractive to fiscal conservatives such as myself, I would like to point out what appears to be a reduction is the consequence of scorekeeping adjustments related to the fact that the President's proposal had some accrual accounting in his budget proposal for fiscal year 2003, accrual accounting that was not included in the actual bill.

Therefore, there is something like a $745 million difference caused by those score-keeping adjustments. If we exclude that accrual accounting and we just compare apples to apples, programs for fiscal year 2003 to fiscal year 2002, we will find that when compared to last year's fiscal year 2002 enacted level, it is above the President's request, above fiscal year 2002 by $149 million and above the President's request by $538 million.

This is not the result of extra spending that we wanted to accomplish except for that which is necessary for homeland security. Instead, it is because we have a special provision in this bill for $200 million in support of reforming election administration through the country to enable the purchasing of up-to-date, modern election equipment so we do not have the difficulties in future Presidential elections that we saw happen in 2000.

Secondly, in the base operations for the U.S. Customs Service, which is charged with overseeing some $8 billion worth of goods that come into the U.S. each day and making sure those are not a conduit for bringing in a weapon of mass destruction or for bringing in someone else that might be a threat to our homeland, to fund those operations and continue the level of increases in border security that this subcommittee has been proposing in the past, we have $250 million that the President wanted to have offset by fee increases. We are not increasing the fees that are generated by the Customs Service, but we are handling this increase by direct appropriation.

□ 1515

Again, that is the other key reason why there are differences between our numbers and those in the President's proposed budget.

As reported by the committee, this bill provides a total of $4.2 billion for securing our homeland. This includes not only funding for the Office of Homeland Security, which is currently part of the Executive Office of the President, but it also includes funding for the U.S. Customs Service, for the Secret Service and for the Federal Law Enforcement Training Center, which is having to provide the training for the increasing number of Federal law enforcement officials that we have needed and been putting in place ever since 9/11 and, indeed, which this subcommittee was increasing even before 9/11.

This bill also includes a total of $246.4 million for the HIDTA program. HIDTA is high intensity drug trafficking areas. This is providing special funding for Federal, State and local coordination to combat the scourge of illegal drugs. The HIDTA money is an increase of $20 million above the current year's funding.

Although nominally the bill reduces funding for the national youth anti-drug media campaign by $10 million, it actually increases the amount that is going to be applied to the national campaign, the advertising campaign, to discourage the use of illegal drugs by our young people. What we have done is to take the difference out of the bureaucracy that had been growing within the Office of National Drug Control Policy and mandate that they increase the amount that is actually being expended on actual advertising.

The bill also provides some $646 million for the construction program of the General Services Administration which, of course, is the landlord for the Federal Government. That includes site acquisition, design and/or construction of some 11 courthouses, trying to take care of the overburden that currently is being placed upon our judicial system.

The bill has major funding regarding information technology. A lot of that is related to trade and to homeland security. The bill includes $439 million for the Customs automation program, including a total of not less than $317 million for modernizing the automated commercial system, the ACE program. Mr. Chairman, it is this modernization program within Customs that I believe will ultimately form the information backbone for the forthcoming Department of Homeland Security, because this database ties in not only Federal law enforcement but some 58 Federal agencies, giving them the interfacing and the access to sharing information that we have seen is so sorely lacking today among Federal agencies. Not only is this an initiative our subcommittee has been accelerating, but it is something that has laid the groundwork for the forthcoming Department of Homeland Security.

In regard to information technology, we also include $436 million for the business systems modernization of the Internal Revenue Service, so taxpayers will no longer have the waiting game and the wondering game that they sometimes have right now when trying to get their complex tax situations straightened out with the IRS.

And we fund $5 million for the President's e-government proposal as well.

In regard to legislative items, we have a number of historical provisions that are a part of this bill. One of them is maintaining the current law that prohibits using funds to pay for abortions through the Federal employees health benefits plan which is the insurance program for Federal workers. This is a provision that has been a part of this bill for a number of years, as is the continued requirement that FEHBP providers include coverage for prescription contraceptive services under certain circumstances and limitations.

We also have a number of other measures in this bill that, frankly, Mr. Chairman, will probably consume most of the debate time, even though they are not the focus of this bill. The focus of this bill is the Treasury Department, the White House, the Executive Office of the President, Federal law enforcement, almost half of which is funded through this bill, the Secret Service, the Bureau of Alcohol, Tobacco and Firearms, and the Customs Service with its significant role regarding border security and homeland security. However, probably most of the debate time will be consumed in debate, such as travel to Cuba, which I know is a subject of interest to a great many Members. It is not the thrust of this bill, but it is probably a debate that we will get into, nevertheless.

Because we have so many amendments that Members wish to offer to

this bill, mostly to the general government provisions, I hope we do not consume the entire hour that is allocated for official debate on the bill itself so that we might move into the opportunity for Members to be presenting their amendments. But, of course, we will try to take the necessary time to cover those issues.

Mr. Chairman, I include the following tabular material for the RECORD:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

	FY 2002 Enacted	FY 2003 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE TREASURY					
Departmental Offices	177,142	191,914	187,241	+10,099	-4,673
Department-wide systems and capital investments programs	68,828	68,828	68,828	---	---
Office of Inspector General	35,424	35,428	35,424	---	-4
Treasury Inspector General for Tax Administration	123,746	123,962	123,962	+216	---
9/11 Supplemental (P.L. 107-117)	2,032	---	---	-2,032	---
Subtotal	125,778	123,962	123,962	-1,816	---
Air Transportation Stabilization Program Account	---	6,041	6,041	+6,041	---
Treasury Building and Annex Repair and Restoration	28,932	32,932	32,932	+4,000	---
Expanded Access to Financial Services	2,000	2,000	4,000	+2,000	+2,000
Counterterrorism Fund	40,000	40,000	33,000	-7,000	-7,000
Treasury franchise fund	---	---	---	---	---
Financial Crimes Enforcement Network	45,837	50,517	51,444	+5,607	+927
9/11 Supplemental (P.L. 107-117)	1,700	---	---	-1,700	---
Subtotal	47,537	50,517	51,444	+3,907	+927
Federal Law Enforcement Training Center:					
Salaries and Expenses	105,680	122,393	152,951	+47,271	+30,558
9/11 Supplemental (P.L. 107-117)	23,000	---	---	-23,000	---
Subtotal	128,680	122,393	152,951	+24,271	+30,558
Acquisition, Construction, Improvements, & Related Expenses	33,434	23,329	31,800	-1,634	+8,471
9/11 Supplemental (P.L. 107-117)	8,500	---	---	-8,500	---
Subtotal	41,934	23,329	31,800	-10,134	+8,471
Total	170,614	145,722	184,751	+14,137	+39,029

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

	FY 2002 Enacted	FY 2003 Request	Bill	Bill vs. Enacted	Bill vs. Request
Interagency Law Enforcement:					
Interagency crime and drug enforcement	107,576	107,576	110,594	+3,018	+3,018
Financial Management Service	212,850	220,712	220,664	+7,814	-48
Bureau of Alcohol, Tobacco and Firearms	810,316	870,775	878,034	+67,718	+7,259
9/11 Supplemental (P.L. 107-117)	31,431	---	---	-31,431	---
Subtotal	841,747	870,775	878,034	+36,287	+7,259
GREAT grants	13,000	13,000	13,000	---	---
Total	854,747	883,775	891,034	+36,287	+7,259
United States Customs Service:					
Salaries and Expenses	2,079,357	2,391,952	2,496,165	+416,808	+104,213
9/11 Supplemental (P.L. 107-117)	392,603	---	---	-392,603	---
Subtotal	2,471,960	2,391,952	2,496,165	+24,205	+104,213
Users fees, conveyance/passenger/other	---	-167,000	---	---	+167,000
Harbor Maintenance Fee Collection	3,000	3,000	3,000	---	---
Operation, Maintenance and Procurement, Air and Marine Interdiction Programs	177,860	170,829	190,000	+12,140	+19,171
9/11 Supplemental (P.L. 107-117)	6,700	---	---	-6,700	---
Subtotal	184,560	170,829	190,000	+5,440	+19,171
Miscellaneous appropriations (P.L. 106-554)	---	---	---	---	---
Automation modernization:					
Automated Commercial System	122,432	122,432	122,432	---	---
International Trade Data System	5,400	---	---	-5,400	---
Automated Commercial Environment	300,000	312,900	316,900	+16,900	+4,000
Subtotal	427,832	435,332	439,332	+11,500	+4,000
Customs Services at Small Airports (to be derived from fees collected)	3,000	3,000	3,000	---	---
Offsetting receipts	-3,000	-3,000	-3,000	---	---
Total	3,087,352	2,834,113	3,128,497	+41,145	+294,384
Bureau of the Public Debt	186,953	191,119	168,673	-18,280	-22,446
Payment of government losses in shipment	1,000	1,000	1,000	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

	FY 2002 Enacted	FY 2003 Request	Bill	Bill vs. Enacted	Bill vs. Request
Internal Revenue Service:					
Processing, Assistance, and Management	3,797,890	3,958,337	3,955,777	+157,887	-2,560
9/11 Supplemental (P.L. 107-117)	12,990	---	---	-12,990	---
Subtotal	3,810,880	3,958,337	3,955,777	+144,897	-2,560
Tax Law Enforcement	3,538,347	3,729,072	3,729,072	+190,725	---
9/11 Supplemental (P.L. 107-117)	4,544	---	---	-4,544	---
Subtotal	3,542,891	3,729,072	3,729,072	+186,181	---
Earned Income Tax Credit Compliance Initiative	146,000	146,000	146,000	---	---
Information Systems	1,563,249	1,632,444	1,632,444	+69,195	---
9/11 Supplemental (P.L. 107-117)	15,991	---	---	-15,991	---
Subtotal	1,579,240	1,632,444	1,632,444	+53,204	---
Business systems modernization	391,593	450,000	436,000	+44,407	-14,000
Total (net)	9,470,604	9,915,853	9,899,293	+428,689	-16,560
United States Secret Service:					
Salaries and Expenses	920,615	1,010,435	1,017,892	+97,277	+7,457
9/11 Supplemental (P.L. 107-117)	104,769	---	---	-104,769	---
Subtotal	1,025,384	1,010,435	1,017,892	-7,492	+7,457
Acquisition, Construction, Improvements, & Related Expenses	3,457	3,519	3,519	+62	---
Total	1,028,841	1,013,954	1,021,411	-7,430	+7,457
Total, title I, Department of the Treasury	15,646,178	15,865,446	16,168,789	+522,611	+303,343
Appropriations	15,041,918	15,865,446	16,168,789	+1,126,871	+303,343
Emergency funding	604,260	---	---	-604,260	---
Rescissions	---	---	---	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

	FY 2002 Enacted	FY 2003 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - POSTAL SERVICE					
Payment to the Postal Service Fund	29,000	29,000	29,000	---	---
9/11 Supplemental (P.L. 107-117)	500,000	---	---	-500,000	---
Subtotal	529,000	29,000	29,000	-500,000	---
Advance appropriation, FY 2002/2003	67,093	47,619	47,619	-19,474	---
Advance appropriation, FY 2004	---	31,014	31,014	+31,014	---
Total, title II, Postal Service:					
Fiscal year 2002/2003	596,093	76,619	76,619	-519,474	---
Fiscal year 2004	---	31,014	31,014	+31,014	---
TITLE III - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
Compensation of the President and the White House Office:					
Compensation of the President	450	450	450	---	---
Salaries and Expenses	54,651	84,595	50,715	-3,936	-33,880
Office of Homeland Security	---	---	24,061	+24,061	+24,061
Executive Residence at the White House:					
Operating Expenses	11,695	12,228	12,228	+533	---
White House Repair and Restoration	8,625	1,200	1,200	-7,425	---
Special Assistance to the President and the Official Residence of the Vice President:					
Salaries and Expenses	3,925	4,066	3,160	-765	-906
Operating expenses	318	324	324	+6	---
Council of Economic Advisers	4,211	4,405	3,763	-448	-642
Office of Policy Development	4,142	4,221	3,251	-891	-970
National Security Council	7,494	9,525	7,803	+309	-1,722

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

	FY 2002 Enacted	FY 2003 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Administration	46,955	70,128	92,681	+45,726	+22,553
9/11 Supplemental (P.L. 107-117)	50,040	---	---	-50,040	---
Subtotal	96,995	70,128	92,681	-4,314	+22,553
Office of Management and Budget	70,752	70,752	61,492	-9,260	-9,260
Electronic Government (E-Gov) Fund	---	---	5,000	+5,000	+5,000
Election Administration Reform	---	---	200,000	+200,000	+200,000
Office of National Drug Control Policy:					
Salaries and expenses	25,263	25,458	24,458	-805	-1,000
Counterdrug Technology Assessment Center	42,300	40,000	55,800	+13,500	+15,800
Total	67,563	65,458	80,258	+12,695	+14,800
Federal Drug Control Programs:					
High Intensity Drug Trafficking Areas Program	226,350	206,350	246,350	+20,000	+40,000
Special Forfeiture Fund	239,400	251,300	240,800	+1,400	-10,500
Unanticipated Needs	1,000	1,000	1,000	---	---
Total, title III, Executive Office of the President and Funds Appropriated to the President	797,571	786,002	1,034,536	+236,965	+248,534
TITLE IV - INDEPENDENT AGENCIES					
Committee for Purchase From People Who Are Blind or Severely Disabled	4,629	4,629	4,629	---	---
Federal Election Commission	43,689	45,244	49,426	+5,737	+4,182
Federal Labor Relations Authority	26,524	28,684	28,677	+2,153	-7

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

	FY 2002 Enacted	FY 2003 Request	Bill	Bill vs. Enacted	Bill vs. Request
General Services Administration:					
Federal Buildings Fund:					
Appropriations	284,400	276,400	325,711	+41,311	+49,311
9/11 Supplemental (P.L. 107-117)	126,512	---	---	-126,512	---
Subtotal	410,912	276,400	325,711	-85,201	+49,311
Limitations on availability of revenue:					
Construction and acquisition of facilities	(662,680)	(556,574)	(646,385)	(-16,295)	(+89,811)
Repairs and alterations	(826,676)	(986,029)	(978,529)	(+151,853)	(-7,500)
9/11 Supplemental (P.L. 107-117)	(42,700)	---	---	(-42,700)	---
Subtotal	(869,376)	(986,029)	(978,529)	(+109,153)	(-7,500)
Installment acquisition payments	(186,427)	(178,960)	(178,960)	(-7,467)	---
Rental of space	(2,952,050)	(3,153,211)	(3,153,211)	(+201,161)	---
Building Operations	(1,748,949)	(1,965,160)	(1,925,160)	(+176,211)	(-40,000)
9/11 Supplemental (P.L. 107-117)	(83,812)	---	---	(-83,812)	---
Subtotal	(1,832,761)	(1,965,160)	(1,925,160)	(+92,399)	(-40,000)
Subtotal, limitations	6,503,294	6,839,934	6,882,245	+378,951	+42,311
Repayment of Debt	(72,000)	(79,685)	(79,685)	(+7,685)	---
Rental income to fund	---	---	---	---	---
Total, Federal Buildings Fund	410,912	276,400	325,711	-85,201	+49,311
(Limitations)	(6,575,294)	(6,919,619)	(6,961,930)	(+386,636)	(+42,311)
Policy and Operations	143,139	---	---	-143,139	---
Policy and Citizen Services	---	65,995	65,995	+65,995	---
Operating Expenses	---	88,263	77,904	+77,904	-10,359
Office of Inspector General	36,346	37,617	37,617	+1,271	---
Electronic Government Fund	5,000	45,000	---	-5,000	-45,000
Allowances and Office Staff for Former Presidents	3,196	3,339	3,339	+143	---
Total, General Services Administration	598,593	516,614	510,566	-88,027	-6,048

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

	FY 2002 Enacted	FY 2003 Request	Bill	Bill vs. Enacted	Bill vs. Request
Merit Systems Protection Board:					
Salaries and Expenses	30,555	31,790	31,788	+1,233	-2
Limitation on administrative expenses	2,520	2,594	2,594	+74	---
Morris K. Udall Foundation:					
Morris K. Udall Trust Fund	1,996	1,996	1,996	---	---
Environmental Dispute Resolution Fund	1,309	1,309	1,309	---	---
National Archives and Records Administration:					
Operating expenses	244,247	256,731	249,731	+5,484	-7,000
9/11 Supplemental (P.L. 107-117)	1,600	---	---	-1,600	---
Subtotal	245,847	256,731	249,731	+3,884	-7,000
Reduction of debt	-6,612	-7,186	-7,186	-574	---
Repairs and Restoration	39,143	10,458	10,458	-28,685	---
9/11 Supplemental (P.L. 107-117)	1,000	---	---	-1,000	---
Subtotal	40,143	10,458	10,458	-29,685	---
National Historical Publications and Records Commission: Grants program	6,436	5,000	7,000	+564	+2,000
Total	285,814	265,003	260,003	-25,811	-5,000
Office of Government Ethics	10,117	10,488	10,486	+369	-2
Office of Personnel Management:					
Salaries and Expenses	99,636	128,804	128,986	+29,350	+182
Limitation on administrative expenses	115,928	120,791	120,791	+4,863	---
Office of Inspector General	1,498	1,498	1,498	---	---
Limitation on administrative expenses	10,016	10,766	10,766	+750	---
Government Payment for Annuitants, Employees Health Benefits	6,129,000	6,853,000	6,853,000	+724,000	---
Government Payment for Annuitants, Employee Life Insurance	34,000	34,000	34,000	---	---
Payment to Civil Service Retirement and Disability Fund	9,229,000	9,410,000	9,410,000	+181,000	---
Total, Office of Personnel Management	15,619,078	16,558,859	16,559,041	+939,963	+182

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

	FY 2002 Enacted	FY 2003 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Special Counsel	11,891	12,434	12,432	+541	-2
United States Tax Court	37,305	37,305	37,305	---	---
White House Commission on the National Moment of Rememberance	---	250	250	+250	---
Net FY2002 proceeds from WTC stamp	---	---	---	---	---
Total, title IV, Independent Agencies	16,674,020	17,517,199	17,510,502	+836,482	-6,697
Grand total (net)	33,713,862	34,276,280	34,821,460	+1,107,598	+545,180
Current year, FY 2003	33,646,769	34,197,647	34,742,827	+1,096,058	+545,180
Appropriations	(32,363,357)	(34,197,647)	(34,742,827)	(+2,379,470)	(+545,180)
Emergency funding	(1,283,412)	---	---	(-1,283,412)	---
Rescissions	---	---	---	---	---
Advance appropriations, FY 2003 / FY 2004	67,093	78,633	78,633	+11,540	---
(Limitations)	6,575,294	6,919,619	6,961,930	+386,636	+42,311

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

	FY 2002 Enacted	FY 2003 Request	Bill	Bill vs. Enacted	Bill vs. Request
CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Bureau of The Public Debt (Permanent)	148,000	151,000	151,000	+3,000	---
Federal Reserve Bank reimbursement fund	134,000	137,000	137,000	+3,000	---
US Mint revolving fund	17,000	---	---	-17,000	---
Sallie Mae	1,000	1,000	1,000	---	---
Federal buildings fund	14,000	15,000	7,000	-7,000	-8,000
Advance appropriations:					
Postal service, FY 2004	---	-31,014	-31,014	-31,014	---
GSA, FY 2003-2004	---	---	---	---	---
OMB retirement accruals	---	745,000	---	---	-745,000
Emergency supplemental	---	---	---	---	---
Total, scorekeeping adjustments	314,000	1,017,986	264,986	-49,014	-753,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2002
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2003
(Amounts in Thousands)

	FY 2002 Enacted	FY 2003 Request	Bill	Bill vs. Enacted	Bill vs. Request
Total (including adjustments)	34,027,862	35,294,266	35,086,446	+1,058,584	-207,820
Amount in this bill	33,713,862	34,276,280	34,821,460	+1,107,598	+545,180
Scorekeeping adjustments	314,000	1,017,986	264,986	-49,014	-753,000
Prior year outlays					
Total mandatory and discretionary	34,027,862	35,294,266	35,086,446	+1,058,584	-207,820
Mandatory	15,675,450	16,586,450	16,586,450	+911,000	---
Discretionary	18,352,412	18,707,816	18,499,996	+147,584	-207,820
RECAP BY FUNCTION					
Mandatory	15,675,450	16,586,450	16,586,450	+911,000	---
Prior year (outlays only)					
Total, Mandatory	15,675,450	16,586,450	16,586,450	+911,000	---
Discretionary:					
General purpose discretionary	18,352,412	18,707,816	18,499,996	+147,584	-207,820
Prior year (outlays only)					
Total, Discretionary	18,352,412	18,707,816	18,499,996	+147,584	-207,820
Grand total, Mandatory and Discretionary	34,027,862	35,294,266	35,086,446	+1,058,584	-207,820

Mr. Chairman, I reserve the balance of my time.

Mr. HOYER. Mr. Chairman, I yield myself such time as I may consume.

I want to thank the gentleman from Oklahoma (Mr. ISTOOK), the chair of our subcommittee, for the leadership he has shown on this bill. I want to thank our staff, particularly our staff director, Ms. Michelle Mrdeza, Jeff Ashford, Kurt Dodd, Walter Hearne, Tammy Hughes and Randy Cogga, who is a detailee working with us. I also want to thank my own staff, Mike Malone and Scott Nance, who have done an outstanding job. I also want to thank Chairman YOUNG for his assistance, and Ranking Member OBEY for providing an allocation that is workable. And I want to thank Chairman ISTOOK, as I said earlier, for working with us.

Although we disagree on some of the funding levels and provisions included in this bill, our views have generally been incorporated in the bill. The bill provides for $18.5 billion in discretionary budget authority, $148 million higher than fiscal year 2002, a relatively modest number. This bill provides $3.128 billion for the Customs Service, $127.3 million above the President's request. This will allow the Customs Service to meet their homeland security needs as well as address other issues such as modernization of their antiquated import data system known as ACE.

The bill provides $185 million to the Federal Law Enforcement Training Center, $30 million above the President's request, in order to handle the additional workload related to the training of Transportation Security Agency personnel.

The bill adds $32 million back to Treasury law enforcement agencies that was cut in the President's budget for unspecified nonpay inflation costs. I intend to work with the chairman to add back funding to all Treasury agencies that were forced to take this cut.

The bill provides close to the full funding amount for the IRS which will enable them, Mr. Chairman, to increase compliance efforts and continue to modernize their business systems.

The bill, in addition, provides $246 million, $40 million above the request, for high intensity drug trafficking areas, and $55.8 million, $15 million above the request, for the counterdrug research and technology transfer programs at the Office of National Drug Control Policy.

For the General Services Administration, the bill includes $606.4 million for the construction of Federal buildings. I would like to point out that $177 million is included to construct a new census building in Suitland, Maryland, and $45.5 million for the continued consolidation of FDA.

In addition to the $400 million included in the fiscal year 2002 supplemental bill, this bill provides an additional $200 million for election reform administration. I want to thank our leaders, including Speaker HASTERT and Chairman YOUNG, for their commitment to include this important funding. I would observe, however, Mr. Chairman, that this funding, should the authorization bill pass, will be very substantially inadequate, and I will be seeking supplemental funds in the event that the election reform authorization bill passes prior to us completing conference or completing the final passage of this bill.

The bill also includes several provisions that benefit Federal employees, including language that provides Federal employees with its comparability adjustment comparable to that of the military. This adjustment is 1.5 percent higher than the President's request.

Although most of this bill is supportable, there are some issues in the bill that I disagree with. For the first accounts program, which attempts to provide access to those who are ''unbanked'' in this country, the bill provides restrictive provisions that may ruin the program. I am hopeful that we will drop those in conference. Although the bill provides $4 million for the program, $2 million above the fiscal year 2002 level, these provisions may severely limit the ability of the Treasury Department to have a successful program. These limitations seem to have been developed without full information, in my opinion, about their impact.

I am also concerned about the committee's elimination of the savings bonds program's $22 million marketing budget. To have a program to sell savings bonds without the ability to market them, in my opinion, does not seem to make sense.

I also continue to be concerned with the lack of information received from the Office of Homeland Security. This bill includes $24.8 million for that office, despite our frustrations with the limited amount of information provided to this committee. Let me speak to that for 1 minute, Mr. Chairman. I asked the representative of the White House who testified on this budget whether or not he could tell me how this money was to be spent. He said he could not. I asked him had he put this money together and had he planned this budget. He said he had not. I asked him had he discussed this matter with Governor Ridge as to how these funds were to be spent. He said he had not. Notwithstanding that fact, Governor Ridge refused to testify before our committee. I want to say in fairness to Governor Ridge, I believe that was under the instructions of the White House and, furthermore, Governor Ridge did make himself available to the committee for discussions. But it was an item that we should have had hearings on, we should have had testimony on, and we did not. I continue to believe that the director of that office, Homeland Security, should testify within the regular committee hearing process so that we can exercise our constitutional right of oversight.

On balance, however, Mr. Chairman, this bill is an improvement from the President's request, and despite some disagreements with its contents, I ask my colleagues to support it in its current form.

Mr. Chairman, I reserve the balance of my time.

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, first I would like to congratulate my friend and colleague from Oklahoma for an excellent job with this bill and I enjoyed working with him.

Mr. Chairman, I also would like to engage the gentleman in a brief colloquy with respect to the funding for the drug-free communities program. One of the items authorized and appropriated under that program is the National Community Antidrug Coalition Institute. This is a new program which was intended to be a grant to a private sector entity to help train local community antidrug coalitions. It is my understanding that the Federal grant manager has expressed its intent to exercise ''substantial Federal involvement'' in the institute's administration. This was not our intent in authorizing this program. Is it the chairman's intention that the appropriated funding here is to be used exclusively for a grant to a private sector entity and not for Federal administration or activities in connection with the institute other than grant administration?

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. SOUDER. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I thank the gentleman for yielding.

The committee intention is, as stated, to support the private sector and not to fund the conduct or administration of this program by government employees other than issuing the grant itself.

Mr. SOUDER. I thank the gentleman for the colloquy.

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Chairman, I would first of all like to also congratulate Chairman ISTOOK on a fine bill that he and my friend, the gentleman from Maryland (Mr. HOYER), have brought forth today. I would like to speak with him about an issue that is of particular importance to me, Mr. Chairman.

Last year as a part of the Floyd Spence National Defense Authorization Act for Fiscal Year 2002, I reinstated the Monroney amendment for Federal DOD employees.

As the gentleman knows, the Monroney amendment provides that whenever there is a shortage of comparable occupations in private industry in a given wage area, the wage survey must use comparable pay data from the nearest wage area that is determined

to be similar in nature of its population, employment, manpower and industry. Previously this amendment was not available to Federal DOD employees.

I would also like to stress the importance of this because of the problems we are having in recruiting and retaining a skilled workforce in our public military depots.

I would particularly like to discuss the pay limit that is unfairly limited on blue collar Federal DOD employees during the transition to one wage scale. These blue collar employees are a key component to our national security and to our warfighting capability. Recruitment and retention of these highly skilled workers is imperative. However, during this transition to a fair and equitable pay adjustment, a pay cap in the Treasury-Postal bill hinders that progress.

I ask the chairman that we discuss ways to overcome and work out the hurdles that stand in the way of eliminating this pay disparity.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. CHAMBLISS. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. I thank the gentleman from Georgia for bringing these concerns to our attention, and certainly I am open to working with him. I am compelled to add, however, that the wage-grade issue is exceedingly complex, and I would want to be very careful about any proposals that may be advanced.

□ 1530

I should also add that the authorizing committees have jurisdiction over this issue and, therefore, it is necessary that they should be involved in any proposed reform that might involve this bill.

Mr. CHAMBLISS. Mr. Chairman, reclaiming my time, I thank the gentleman from Oklahoma for his cooperation and understanding of this matter, and I appreciate the beginning of a dialogue on this issue.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. SERRANO), for the purpose of entering into a colloquy.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from New York.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentleman from New York (Mr. SERRANO) is recognized for 5 minutes.

Mr. SERRANO. Mr. Chairman, I would like to engage the chairman and ranking Democrat of the subcommittee in a colloquy.

Since before I was elected to Congress, I have heard repeated requests from my constituents for assistance in dealing with Bronx post offices. Continuing problems include lost mail, misdelivered mail, late night deliveries. You name it, we have it.

I have witnessed service problems firsthand. Whenever I send out a newsletter to my constituents, boxes and boxes containing undelivered newsletters get sent back to my office for different reasons. Sometimes the Post Office says there is no such address, but, most frustratingly, some get returned for insufficient postage. Some employees at the Post Office do not seem to recognize the Congressional frank.

I have repeatedly tried to work with the local postmaster, as well as regional postal service officials. I have had a representative from the Postmaster come to my Washington office to try to work out the problem. We showed her the boxes and boxes that have been returned to my office. Unfortunately, while much was promised at these many meetings, little was delivered.

My good friend and colleague who shares part of the problems with me, the gentleman from New York (Mr. CROWLEY) requested language included in your report to require a general study of the postal situation at Morris Park and the Bronx with recommendations to be made to ameliorate the problems. I salute his efforts.

I would like to go further and work with the chairman and ranking Democrat to expand the study to the entire Bronx to send a strong message to the Postmaster General that the current situation in the Bronx is intolerable.

Mr. Chairman, I would ask, would the chairman and ranking member work with me in putting an end to this long-term problem?

Mr. HOYER. Mr. Chairman will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I certainly have every intention of working with the gentleman. It is a significant and real problem that he brings up, and we want to work with him on that.

Mr. CROWLEY. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from New York.

Mr. CROWLEY. Mr. Chairman, I thank my colleague and good friend from the Bronx for yielding during this colloquy to reiterate the statements made by him regarding the mail delivery problems we are experiencing in the Bronx in New York.

Like the gentleman from New York (Mr. SERRANO), I have heard from far too many of my constituents about mail delays, misdelivered mail, lost mail, late deliveries, 9 o'clock at night, and even no mail delivery at all. One of the most affected areas in the Bronx is the Morris Park Post Office.

I would like to express my deep gratitude to the gentleman from Oklahoma (Chairman ISTOOK) and the ranking member, the gentleman from Maryland (Mr. HOYER), for including report language that was mentioned by the gentleman from New York (Mr. SERRANO) mandating that the New York Post Office headquarters conduct a study and implement recommendations to improve the mail delivery in Morris Park.

Stating that, this community's problems are just the tip of the iceberg. I have heard of mail complaints in Throggs Neck, Soundview and Co-Op City, just to name a few places, meaning more must be done.

Again, I thank the gentleman from New York (Mr. SERRANO) for yielding me this time, as well as the gentleman from Oklahoma (Chairman ISTOOK) and the ranking member, the gentleman from Maryland (Mr. HOYER) for their actions to improve mail delivery for my constituents.

I also want to recognize the great work of City Councilwoman Madeline Provenzano, as well as members of the Assembly, Kaufman, Klein and Rivera for bringing this issue to my attention.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, to answer the questions posed by the gentleman from New York (Mr. SERRANO), yes, I think we can definitely work together to address his concerns about postal service in the Bronx. The gentleman is correct that we have included report language at the request of the gentleman from New York (Mr. CROWLEY) concerning the Post Office in Morris Park. We have recommended that the Postal Service investigate this situation and report recommendations for corrective action, reporting that to the committee.

When we go to conference with the Senate, we can and will work with the gentleman from New York (Mr. SERRANO) to come up with additional report language to take care of the issue regarding the Postal Service in the Bronx, presuming, of course, that the distinguished ranking member of the committee has no objections.

Mr. HOYER. Mr. Chairman will the gentleman yield?

Mr. SERRANO. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I echo the gentleman's comments. Certainly I will indicate I have no objections, and look forward to working with the chairman, with the gentleman from New York (Mr. SERRANO) and with the gentleman from New York (Mr. CROWLEY) on these important issues that they have raised.

Mr. SERRANO. I thank you both, and I congratulate you on bringing a good bill to the floor.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. SWEENEY), a member of our subcommittee who has done excellent work on this measure.

Mr. SWEENEY. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I just simply wanted to take some time to come down at the introduction of this bill at the beginning of what will be a very long debate and long night on a number of issues important to the Nation and important to the Nation's security to congratulate my good chairman, the gentleman

from Oklahoma (Mr. ISTOOK), for the tremendous work done and my friend the ranking member, the gentleman from Maryland (Mr. HOYER), for really balancing some critical priorities in this process.

This is one of those bills that every year is critical to our homeland security, and I am very proud to be part of a committee that, not only in a period of time of great economic concern were we able to balance those economic needs and changing wants, but also, obviously, since September 11, it is a period of time in which our national security, our homeland security, are at greater risk and greater sensitivity to all of us.

This subcommittee had a perilous task in balancing those priorities, and did so in such a responsible manner, in protecting our borders from threats, new and old, many of those threats changing in unimaginable ways in the past year. The bill provides critical funding to protect our borders in a time of heightened security.

The Subcommittee on Treasury, Postal Service and General Government was able to respond to the changes we have faced. We have included increases of over $24 million for Customs Services' salaries and expenses, including over $21 million for its Northern Border Staffing. I am pleased with the response of the subcommittee in addressing the needs of the facilities protecting our borders, in particular, because close to my district in upstate New York the Port of Champlain Border Crossing has been in need for a great many of years, and this bill includes $5 million for desperately needed updates and facility repairs.

Not only does the bill provide the necessary funding to protect our borders from newly exposed threats, it also maintains support for local law enforcement in fighting the war on drugs. An additional $20 million is appropriated for high-intensity drug trafficking areas. Stopping drugs at our borders and helping local law enforcement agencies is a critical function of this committee. We were able to do that, maintain those basic commitments to programs that preceded September 11, and indeed, adjust some of those priorities to address the new changing challenges.

I want to, finally, thank and congratulate the committee staff who do a phenomenal job keeping Members informed. I remember the days immediately following the attacks of September 11 and the myriad of questions that were being asked by my constituents and the people of America, and this committee was on top of each of those. I want to spend this time to recognize them.

Mr. HOYER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Florida (Mrs. MEEK), a very distinguished member of our subcommittee. The gentlewoman from Florida (Mrs. MEEK) is the next ranking Democrat on our committee and does a great job, and I appreciate her help and assistance.

Mrs. MEEK of Florida. Mr. Chairman, I want to thank my colleague and leader, the gentleman from Maryland (Mr. HOYER), for yielding me time. I want to thank my chairman, the gentleman from Oklahoma (Mr. ISTOOK), and the staff, both majority and minority staff members.

Also I want to thank the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Florida (Mr. YOUNG) for giving us the kind of 302(b) allocation that allowed our committee this time to fund the Customs Service program without having to resort to an additional fee increase on airline passengers. We did not really need that.

While we only got enough money for a down payment on correcting the problems that arose during the 2000 presidential election, we needed more, the gentleman from Maryland (Mr. HOYER) did an outstanding job of leading this effort. Of course, $650 million is in the bill for election reform. That is a very good start.

Mr. Chairman, this is a good bill that I intend to support. The bill before us today is a big improvement over the President's request. However, the bill has a number of problem areas that still need to be addressed before the process concludes, such as three ''poison pill'' restrictions on the First Accounts Program and the unfortunate decision to limit the future marketing of the savings bonds program.

This bill became worse when we adopted a rule permitting a point of order to be raised against the DeLauro language that restricts the award of new Federal contracts to companies that have moved out of the United States and incorporated in tax-haven countries in order to avoid U.S. taxes.

Let me mention just a few of the items in the bill and report that I particularly like, and then turn to problem areas. I commend my committee for restoring over $32 million of nonpay inflationary increases for Treasury law enforcement. That was needed, and I want to congratulate the committee for doing so.

The $316.9 million investment that is proposed for the ACE, the Customs modernization project, is urgently needed. This money will help the trade community and law enforcement tremendously. It certainly is needed in Miami. Despite the President's failure to request it, I commend the committee and the gentleman from Oklahoma (Mr. ISTOOK) for providing an additional $30 million to the Federal Law Enforcement Training Center for training Transportation Security Agency personnel in response to the attacks of September 11.

Finally, I am pleased that the bill continues several favorable and important provisions for Federal employees, such as contraceptive coverage under the Federal Health Benefits Program, child care assistance for lower income employees and pay parity through a 4.1 percent pay increase adjustment for all Federal employees.

The bill does have some problem areas. As I previously discussed, South Florida needs more Customs employees at Miami International Airport and the Miami Seaport. We are very vulnerable in those two areas.

I remain very concerned about the level of Customs staffing in South Florida and whether the overall level of staffing at Customs is sufficient to meet the many new challenges and threats that we are asking Customs to meet.

We do need a very strong Customs Service serving as our first line of homeland defense. It is more important now than ever. Customs projections through its resource allocation model have demonstrated a need for thousands more staff, mostly inspectors and special agents. I cannot underline this need too strongly, Mr. Chairman. None of the Customs locations show a decline in workload or staff coverages, so reallocation of staff does not appear to be a realistic option. We should not have reallocated staff in that regard. We need to ensure that Customs receives the resources it needs to do its job effectively.

Mr. Chairman, as I have noticed on many occasions, there is also a perception among many of my constituents that the IRS and the Congress care more about chasing tens and hundreds dollars from EITC claimants than collecting thousands and, in some cases, millions of dollars from high income taxpayers.

In conclusion, Mr. Chairman, the First Accounts Program is a very important program, not only to me but to many of the unbanked people in this country. I do hope as this bill moves forward and goes into conference that the committee and the conference committee will think of trying to return banking privileges to these unbanked people.

Mr. HOYER. Mr. Chairman will the gentleman yield?

Mrs. MEEK of Florida. I yield to the gentleman from Maryland.

MR. HOYER. Mr. Chairman, we will certainly support the gentlewoman's efforts in that regard. I think she is absolutely right.

Mr. ISTOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. SHAW) for the purpose of engaging in a colloquy.

Mr. SHAW. Mr. Chairman, I rise to engage the distinguished chairman of the subcommittee and the distinguished ranking member in a colloquy to discuss a matter of great concern to the gentleman from Florida (Mr. WEXLER) and to me and of great concern also to our constituents.

□ 1545

As the chairman knows, the first and most severe anthrax attack occurred in Boca Raton, Florida. One man died and many others were injured. The building itself, 67,000 square feet in the middle

of the city, is now under quarantine. The level of contamination is equal to that of the Daschle suite in the Hart Senate Office Building.

While we still do not know who is responsible for the contamination in Boca Raton, we know the owners of the buildings are the victims of a terrorist attack resulting in a public health hazard. The problems now facing the community because of this attack are so serious and unusual in nature that it is, in my opinion, necessary for the Federal Government to become engaged and provide a solution.

Local leaders, including the mayor of Boca Raton, Steve Abrams, and the city council, in addition to the owners of the building, have shown a willingness to work with the government in order to fix this problem. The solution that the gentleman from Florida (Mr. WEXLER) and I have proposed, along with other Members of the Florida delegation, most notably the gentleman from Florida (Mr. MICA), (Mr. DEUTSCH), and (Mr. HASTINGS), has the bipartisan support of the entire Palm Beach County, Boca Raton community.

I understand that the chairman has expressed some concern with our proposal. I appreciate and respect those concerns. Moreover, I greatly appreciate the time and effort that the gentleman and his staff have devoted to this issue. I am hopeful, I would say to the chairman, that we can continue our dialogue, as this matter is of great concern and urgency to the citizens of South Florida.

Again, I want to thank the chairman and I want to thank also the ranking Democrat member for their efforts on behalf of our constituents.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I want to thank the gentleman from Florida (Mr. SHAW) for his remarks. I do fully appreciate the magnitude of the problem facing the citizens of his district, and I realize both its magnitude and its complexity. I hope that he and others understand that, therefore, we are trying to move circumspectly to see if we might be able to resolve it.

The gentleman is correct in stating that I do have some concerns over the approach that he has proposed, although I recognize the need for a solution that is timely. I look forward to working together and continuing our dialogue in hopes that the problem can be resolved in an acceptable manner.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I also want to continue to lend my support to the gentlemen from Florida (Mr. SHAW) and (Mr. WEXLER) and the others that have been mentioned. I, like the chairman, will continue to work with the gentleman on this issue so that we can find a timely and meaningful solution that satisfies the concerns of the gentleman and the concerns of the local officials in Boca Raton.

I do believe this is a public health problem. I do believe the Federal Government has a responsibility, and I want to see us help solve this problem this year.

Mr. WEXLER. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Florida.

Mr. WEXLER. Mr. Chairman, I rise to thank the chairman of the subcommittee, the gentleman from Oklahoma (Mr. ISTOOK), and especially the gentleman from Maryland (Mr. HOYER), my friend and ranking member, for their work on this issue, as well as the gentleman from Florida (Mr. SHAW), for his leadership as we continue this debate.

Let me reiterate how important it is for the Federal Government to take an active role in finding a solution to the cleanup of the anthrax contamination at the American Media, Inc. building and what it means to the people of South Florida and the rest of the Nation. I want to make clear that this is not our first attempt at requesting Federal assistance for this cleanup. Shortly after the October 1, 2001 anthrax attack on the AMI building in Boca Raton, Florida's governor, Jeb Bush, wrote to the Federal Emergency Management Agency asking for disaster assistance to help the State deal with the biological attack and the cleanup effort. The members of the Florida congressional delegation followed with a letter to FEMA, but the request was turned down.

We must not forget that this incident in Florida was the first biological attack in the United States. Although the anthrax attack on the AMI building occurred before the anthrax attacks here in the U.S. Capitol, the AMI building is yet to be decontaminated. Now, 9 months later, a potentially treacherous health hazard continues to threaten the people of South Florida. We are now in the middle of hurricane season, and one can only imagine the potential for harm that exists each and every day that the AMI building remains contaminated.

Let us not forget that this attack killed Mr. Bob Stevens and severely sickened another person. Every American that is victimized by a terrorist attack should have confidence that the Federal Government will come to their aid. Right now, the people of South Florida do not have that assurance.

Again, I would like to thank the gentleman from Oklahoma (Mr. ISTOOK), the gentleman from Maryland (Mr. HOYER), and the gentleman from Florida (Mr. SHAW), and I hope that we will be able to reach a positive resolution to this public health problem.

Mr. HOYER. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I want to congratulate both gentlemen from Florida, (Mr. SHAW) and (Mr. WEXLER), who have worked tirelessly on this issue. I know the chairman and I have spent literally hours with each gentleman because of their deep concern over the public health challenge that this causes the people of South Florida. I want to assure both of them that I know the chairman and I will spend a lot of time on this and try to bring this matter to a successful resolution, and I thank the gentlemen for their work.

Mr. SHAW. Mr. Chairman, if the gentleman would yield just briefly, I thank the gentleman and the chairman for giving so much of their time, and I think the people of Boca Raton are very grateful, and we look forward to continuing to work with both of the gentlemen.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. WYNN), my friend and colleague.

Mr. WYNN. Mr. Chairman, I rise in support of H.R. 5120, the Treasury-Postal appropriations bill.

This bill includes $45 million in funding to build a much-needed, state-of-the-art laboratory for the Food and Drug Administration's Center for Devices and Radiological Health. This project is a critical component of the overall consolidation of the Food and Drug Administration.

I would like to, of course, thank the chairman, the gentleman from Pennsylvania (Mr. ISTOOK), for his work and single out for thanks and appreciation to my Maryland colleague (Mr. HOYER) who has been very active on behalf of the consolidation of the Food and Drug Administration.

Currently, nearly 6,000 FDA Washington-area employees are housed in commercially leased space at approximately 39 different streetfront buildings, many of which are vulnerable to attack. This FDA consolidation would transfer all 6,000 FDA employees to state-of-the-art laboratory and administrative facilities at the White Oak campus in Silver Spring, Maryland, facilitating easier communications between the FDA employees and the various centers.

At a time when we are reorganizing the government for purposes of homeland security, the most important thing we can do is actually secure something. We have that opportunity to do that in this bill by providing a secure, fenced campus setting in White Oak, Maryland, formerly the Naval Surface Warfare Center.

By moving the FDA to a government-owned facility at White Oak, the consolidation is expected to yield savings of approximately $300 million in government lease costs over 10 years. The $45 million included in this bill will be used to construct laboratories for the Center for Devices and Radiological Health, which improves mammography scanners, x-ray machinery, and irradiation devices used to kill bacteria in food and in mail. Currently, several

such labs are housed in old, dilapidated, leased buildings scheduled for demolition in 2004.

Importantly, this funding in the fiscal year 2003 budget means the construction of these labs will likely be finished by 2004, several months prior to the expiration to the leases in three separate facilities. This means savings of millions of dollars for the taxpayer in lease space and multiple moves.

Mr. Chairman, I believe this is an excellent bill. I also note that it includes $177 million for the construction of a new Census facility in Suitland. I urge my colleagues to support the Treasury-Postal appropriations bill.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. OSE).

Mr. OSE. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of this important legislation. I want to thank the chairman of the subcommittee for allowing me to speak today, and I also thank him for his leadership in dedicating additional funding for the U.S. Customs Service.

I stand before my colleagues to highlight the importance of Customs funding for the Sacramento International Airport. In 2001 the airport was granted Port of Entry status, paving the way for international flights. On July 1 of this year, Mexicana Airlines commenced scheduled international service from Sacramento to Mexico. I take great pride in our ongoing efforts at the local, State, and Federal level to expand this first class airport, including putting up $3.2 million of local money to construct the processing facility. New international service has just begun and it, in fact, is just the beginning.

In order to gain this international service, the Sacramento International Airport signed an agreement to cover the cost of the Customs Service for this operation until the Customs Service could provide full-time personnel. The cost to the airport is approximately $475,000 per year.

Interestingly, according to an economic analysis conducted on behalf of the airport, Federal, State, and local governments will receive approximately $1.5 million in new tax revenues because of this new international service provided by Mexicana Airlines. These flights will generate approximately 360 direct and indirect jobs, with over 100 of these jobs in the visitor and tourism industry. In the Sacramento area, personal income is estimated to increase by over $9 million per year.

In the Treasury-Postal Appropriations Subcommittee report, which is House Report 107–575 accompanying H.R. 5120, the committee directed ''the U.S. Customs Service to work closely with international airport authorities to ensure that Customs will meet the optimal staffing requirements at international airports in the United States.''

The committee report goes on to recommend that the Customs Service ''evaluate the feasibility of providing additional resources and staffing to include increased inspection services at Sacramento International Airport.''

I appreciate the work the committee has done on behalf of Sacramento International Airport, and I look forward to working with the committee to secure funding for permanent Customs staff.

Mr. Chairman, this is a successful local, State, and Federal partnership that has laid the groundwork for opening a whole new area of economic activity in Sacramento. I urge my colleagues to support this important legislation.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, I thank the gentleman for yielding me this time.

There will be a series of amendments offered during the course of the debate on this bill by a bipartisan group of Members, Republicans and Democrats, liberals and conservatives, who, after 43 years, recognize that there can be no doubt that our current Cuba policy has failed. It has failed the Cuban people because it certainly has not brought them freedom and political space, but it has also failed the American people, not just because it has denied us commercial opportunities but, more importantly, has unreasonably restricted one of our fundamental constitutional rights, the right to travel.

Even Vice President CHENEY admitted during the campaign, and I am quoting him now, ''restrictions, frankly, have not worked very well in Cuba.''

Well, furthermore, this policy opens us to charges of hypocrisy. Americans can travel to North Korea and Iran; by my reckoning, that is two-thirds of the axis of evil, but not to Cuba. That makes no sense, I would suggest.

We also helped pass the United Nations resolution that calls for virtually unrestricted trade with Iraq, the crown jewel of the troika of the axis of evil, yet we continue an embargo on Cuba. Well, that makes no sense, either.

If we do not approve of one-party states where elections are a sham, where political and religious dissent is repressed, and the president names the editors in chief of the three largest daily newspapers, why do we not restrict travel and impose an economic embargo on Egypt, rather than sending them a $2 billion check every year? Why do we not impose Cuba-like sanctions on Saudi Arabia, one of the most oppressive regimes on earth, where women cannot thrive and our own soldiers are prohibited from leaving their bases, and an adult American woman born in Texas cannot leave to come home to America because her husband will not consent.

□ 1600

How can we justify that inconsistency? The amendments that we will be offering will eliminate that hypocrisy and help create a democratic opening in Cuba. I urge my colleagues to support these amendments and particularly also when the amendment offered by the gentleman from Florida (Mr. GOSS) comes forward, to vote ''no.''

Mr. HOYER. Mr. Chairman, I reserve the balance of my time.

Mr. ISTOOK. Mr. Chairman, may I inquire how much time remains.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentleman from Oklahoma (Mr. ISTOOK) has 6½ minutes remaining, and the gentleman from Maryland (Mr. HOYER) has 11 minutes remaining.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. CHAMBLISS).

Mr. CHAMBLISS. Mr. Chairman, I thank the gentleman for yielding me this time and again congratulate him and the gentleman from Maryland (Mr. HOYER) on a very fine bill coming forward today.

Mr. Chairman, the Federal Law Enforcement Training Center, or what is commonly known as FLETC, in Glynco, Georgia, provides critical training for a range of Federal law enforcement personnel as well as State, local, foreign, and private sector security personnel.

My Subcommittee on Terrorism and Homeland Security of the House Permanent Select Committee on Intelligence just completed a study of the intelligence deficiencies that left our Nation vulnerable to attack. We know that our intelligence agencies must do a better job of collecting and analyzing producing intelligence information, but that is only part of the solution. We need to ensure that we have a robust law enforcement and security force that can take that intelligence and use it to stop future attacks. The critical security training by FLETC is an integral part of protecting our Nation.

I strongly support allowing our pilots to be armed as an additional layer of aviation security. Since FLETC will train our air marshals, FLETC is an appropriate place to train our pilots with the same standards. I applaud the efforts of the gentleman from Georgia (Mr. KINGSTON), who has done an outstanding job of working with FLETC to address their needs. I am pleased that under the gentleman from Oklahoma's (Mr. ISTOOK) leadership this bill increases funding for this important facility. I thank the chairman for his support and for his commitment to ensuring that significant resources have been provided to fully train Federal law enforcement and security personnel at the Federal Law Enforcement Training Center.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise to thank him for his work and to thank the gentleman from Oklahoma (Mr. ISTOOK) as well and to support this appropriation.

I want to talk about an important matter and that is about an amendment that I intended to offer. It may or may not have been in order, but I want to discuss it on the floor now. It is the closing of E Street. It remains closed even though the Secret Service signed off on a report recommending that it be open, a report of the National Capitol Planning Commission. There is no safety or security issue. There is an 800-foot setback from the back of the White House. It is closed for one and only one reason, and that is when the Secret Service closes something, it wants to always keep it closed. The Secret Service wanted to keep National Airport closed. Only because the entire region fought back is National Airport open. The Secret Service wanted to close Pennsylvania Avenue ever since the Eisenhower administration. It succeeded after Oklahoma City. We are not asking that Pennsylvania be reopened, but we cannot afford to see E Street remain closed; and I will say why in a few minutes.

First of all, E Street is one of the few streets in the District that was prepared for September 11 because after Oklahoma City, E Street had been widened in order to make sure that the White House which has an 800-foot setback was, in fact, safe. In fact, it opened for a year after Oklahoma City and after 9–11 closed. Another study done, that study shows that it can be opened. The Chair of the Subcommittee on the District of Columbia and I have sent letters. It is because we can get no response that I come to the floor to say if we do not get response within the next few months, I will take action that I think will result in the opening of E Street.

There is new urgency which above all sends me to the floor today because the entire region is implicated. There has been a recent Court of Appeals ruling that this entire region is in ''severe violation'' of the Clean Air Act. What that means for the region, and the ranking member is deeply implicated here because he represents part of this region, is that this region very soon, unless we get at things that are causing congestion like the closure of E Street which has to take all of the traffic in Maryland, Virginia, and crosstown traffic in D.C., if we are not able to get ahold of matters like this, then this region will be able to build nothing with transportation funds, no metro, no roads; and here we are just caught up in this dilemma.

E Street handles a lion's share of the traffic from the region, and of course it is a way that we get across town. It makes a very large contribution to traffic congestion and air pollution that must be cleared up if we are to continue to build in this town. It is time E Street was allowed to make the contribution the founders intended it to make to facilitate traffic across town. We closed E Street in front of Pennsylvania in front of the White House. We must not close off E Street in back of the White House.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from northern New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise today in support of the bill and in opposition to any amendments that prohibit funds from being used to administer or enforce the ban on travel to Cuba or to enforce the U.S. embargo against Cuba.

Mr. Chairman, I have said in the past doing business with Cuba means doing business with Castro. So long as Castro maintains his stranglehold on every aspect of Cuban life, lifting any aspect of the embargo or allowing Americans to travel to Cuba would mean subsidizing Castro.

Contrary to popular belief, increased tourist travel to the island would not increase purposeful contact with the Cuban people and instead contributes to unacceptable practices of slave labor and racism.

Canadians and Europeans have been traveling to Cuba for years, and yet there has been no measurable impact on or change in Castro's control over the people.

Furthermore, 98 percent of Cuban citizens are forbidden even entry into the tourist areas, which is Fidel Castro's way of denying foreigners the ability to gain a glimpse into the reality of Cuban life. Those Cubans who do work at the resorts are forbidden to engage in certain types of conversations with foreigners, including any mention of Cuba's political situation, the U.S. embargo, and other such issues.

Citizens who work at the resorts are employed by a state employment agency run by the Castro regime. The foreign resorts pay the workers' wages to the state agency in dollars, but the workers receive only pesos. Therefore between 95 and 97 percent of a workers' wages are kept by Castro.

Mr. Chairman, most Cuban tourist operations are run by the Cuban military and internal security services. These so-called companies funnel money directly into the regime, earning them the hard currency necessary to perpetuate their repressive policies. Expanding tourism was the key to Castro's survival after the collapse of the Soviet Union. Tourism has helped to feed the personal fortunes of the Castro family and provide the necessary government revenues that Cuba's deteriorating sugar industry and failing state enterprises simply cannot.

Mr. Chairman, by lifting these sanctions, with nothing in exchange from the Cuban Government, we would be betraying the very people that these policies were designed to help. Mr. Chairman, I urge my colleagues to join with me and oppose any amendments that lift travel restrictions or lift the embargo and to remain committed to their support and the U.S. Government's support for the Cuban people.

INTRODUCTION

Mr. NUSSLE. Mr. Chairman, I rise to speak on H.R. 5120, a bill providing appropriations for the Department of Treasury and related agencies and to express my continuing concern with the path the House is currently taking on appropriations.

OVERALL LEVELS

As reported, H.R. 5120 provides $18.5 billion in budget authority and $18.2 billion in outlays for fiscal year 2003. It also exceeds the President's request by $537 million. To put this increase in perspective, appropriations for the agencies covered by this bill have climbed by an average of 10.5 percent a year over the last three years.

The bill provides another $31 million for fiscal year 2004 for free and reduced mail for the blind as well as mail for overseas voting. This is included in the list of permissible advance appropriations pursuant to the House-passed budget resolution for fiscal year 2003 (H. Con. Res. 353).

COMPLIANCE WITH BUDGET RESOLUTION

It is only fair to point out that this bill, like that of the Interior bill we considered last week, is within the reporting Subcommittee' 302(b) allocation. Hence, no budget-related point of order lies against consideration of the bill.

To the Appropriations Committee's credit, it was able to meet its 302(b) allocation without designating phony emergencies, which are effectively exempt from any budgetary constraints. Nor did it attempt to create the illusion of fiscal restraint by offsetting spending increases with rescissions in funds that would never have been spent.

THE BIGGER PICTURE

My concern is less with the bill than in the direction in which we are heading. Unless we exercise more restraint in the less controversial measures like this bill, we will be forced to find savings in the remaining appropriations bills or breach the limits that both the House and the President agreed to earlier this year.

The real test will come when we consider appropriations for VA–HUD and Labor-HHS, which the Leadership has agreed to bring to the floor before any other appropriations measures are considered. For every dollar we increase spending in this bill above the President's request, we must find an equal amount of savings from such agencies as Veterans' Affairs, Health and Human Services and Housing and Urban Development.

I sincerely hope that both the Appropriations Committee and the Congress as a whole is up to this task.

OTHER ISSUES

On a lighter note, for the second year in a row the bill includes a limitation that prohibits appropriations from being used to pay the salaries of any OMB staff who dare to compare the President's budget request with that of the 13 appropriations bills.

It still seems curious to me that while the individual appropriations bills must be submitted to the President to become law, the President shouldn't be allowed to suggest how much should be spent on each bill.

CONCLUSION

In conclusion, I reluctantly support this bill because it is within the limits that were established for it by the House-passed budget resolution.

At the same time, it continues the pattern of allowing appropriations for select agencies to grow significantly beyond the levels requested by the President.

This will force us to exercise greater restraint than would have otherwise been required for such agencies as Veteran's Affairs, Housing and Urban Development and Health and Human Services.

If we prove unable to meet that challenge, I will be forced to examine other remedies to bring overall appropriations in line with the budget resolution.

Mr. MORAN of Kansas. Mr. Chairman, I rise in opposition to a Congressional pay raise. I do not support this procedural motion, and I do not support the way this issue is being handled. Failure to allow an up or down vote on this issue only serves to increase cynicism towards the political process and confirms the feelings of many voters that their representatives are out of touch. This process needs to be reformed. Members of Congress should be on record with the citizens of their districts as to whether they believe an increase to their salary is justified. Given the opportunity, I would vote ''no.''

Fiscal discipline must start with elected officials. At a time when farmers and ranchers and small businesses across Kansas are struggling and rural hospitals and other health care providers are curtailing services, there is no place for a Congressional cost of living increase, especially one born in a cloud of secrecy.

Mr. DAVIS of Illinois. Mr. Chairman, I had planned to offer an amendment today that would have linked any increase in postage rates by the United States Postal Service (USPS) to Postal Reform. However, I have decided against that. But I would like to share with my colleagues and the American people the crisis in our mail system and its likely impact on our economy.

The USPS is hemorrhaging—universal service is in real jeopardy. The Postal Service continues to operate under laws passed in 1970. They cannot raise rates to cover spikes in gas prices. The 1970 laws did not take into consideration e-mail, e-commerce or the impact that other advances in technology would have on first class mail. The USPS is an organization that comprises over 800,000 full and part-time workers and plays a significant role in our economy.

The anthrax attacks on the Postal Service have tragically taken the lives of two postal workers and threatened thousands more. The pipe-bomb attacks on rural mailboxes have stirred fear on many of our rural routes and put at risk rural letter carriers and residents. The attacks coupled with a lack of Postal Reform have the Postal Service spiraling dangerously close to bankruptcy. The Postal Service reports that in fiscal year 2002, mail volume is down by six billion pieces—an unprecedented decline.

Last year, the Postal Service lost $1.68 billion dollars, and this fiscal year they are predicting losses of $1.5 billion. No business in America can continue to function with these type of losses.

The Postal Service is unlike any other business—unique in its mission and goal. It is the anchor for the $900 billion dollar mailing industry—which employs approximately 9 million people. The mailing industry represents 8 percent of the gross domestic product. When the Postal Service gets a cold—the mailing industry gets pneumonia. We are almost at pneumonia crisis in the mailing industry. The uncertainty of the economy coupled with constant rate increased by the Postal Service to cover its budget shortfall could lead to lay offs and cuts at big mailing operations like RR Donnelley & Sons, AOL Time Warner, Lands End and others.

The business industry needs and deserves stability in terms of projected increases in rates.

A number of companies could be in real jeopardy if the Postal Service is not provided the tools they need in order to be competitive. A viable and competitive Postal Service provides the stability that printers, mailers, employees and consumers can count on. The impact of a weak Postal Service on our quality of life and economy are enormous. It is my hope that we will continue to press the issue for Postal Reform.

Ms. SCHAKOWSKY. Mr. Chairman. I rise in support of the Rangel, Moran,and Flake amendments to the Treasury-Postal Appropriations bill. It is clear to me that the trade and travel embargo on Cuba must be lifted. I commend the following Chicago Tribune article on this subject to the attention of my colleagues, and I urge all members to vote to repeal the current policy, which is outdated and unwise. Allowing trade and travel between the U.S. and Cuba will help the Cuban people and will help the America public. I urge all members to join me in supporting the efforts of the Gentleman from New York, The Gentleman from Kansas, and the Gentleman from Arizona. As the Tribune puts it, this is ''a chance to think fresh on Cuba''.

A CHANCE TO THINK FRESH ON CUBA

With each passing day, the once-invincible Washington lobby in favor of maintaining the U.S. economic embargo against Cuba looks as absurd and irrelevant as the Flat Earth Society. Unfortunately, and not as a matter or principle but craven politics, President Bush vows to stick with his support of the embargo to the point of vetoing any congressional move to weaken it.

He must give this new thought. The next few weeks will be as propitious a time as any to shift course, be it from the perspective of politics, economics or the national interest.

Four amendments tot he Treasury and Postal Service bill in the House seek to undo various parts of the embargo. Rep. Charles Rangel (D–NY) wants to dismantle the embargo altogether. Rep Jerry Moran (R–Kansas) proposes to lift restrictions on private financing of trade deals with Cuba. Finally, Rep. Jeff Flake (R–Ariz.) has introduced two amendments, one to effectively lift restrictions on private travel to Cuba and another to lift limits on remittances Cuban-Americans to their relatives still in the island.

The last three amendments have an excellent chance of passage. A similar amendment by Flake last year received 240 votes, but was sidetracked in the Senate by the events of Sept. 11. An even wider margin is expected when it comes for a vote within the next few days. On Tuesday, the Senate Appropriation Committee unanimously passed an amendment identical to Flake's; full Senate approval is expected by a wide margin.

Except for incurring the wrath of some Cuban hardliners in southern Florida—and possibly harming his brother's chances for re-election as governor—there would not be much political risk to President Bush if he were to get behind a softening of the embargo.

Economically, it would be good for the country. According to the U.S.-Cuba Trade and Economic Council, a non-partisan information organization, trade with Cuba last year amounted to about $103 million and is expected to rise to $165 million this year—all cash. That puts Cuba 57th among the 180 top buyers of U.S. agricultural products. These shipments originated in 30 states.

A U.S. food and agribusiness fair, scheduled for Havana in September, already has attracted 120 American exhibitors, who are coming armed for business. Confirmed attendees so far include two Illinois dairy cows plus two buffalo and a 200-pound pig from North Dakota. Approximately 20,000 attendees are expected from both counties, including the Bearded One, who has promised to stop by every day.

Unless President Bush changes course, he will find himself in the untenable position of having to recite the tired old lines in support of the embargo even as Congress moves overwhelmingly to vote in favor of easing it, and American business people—many of them no doubt Republican—head for Havana to sell their products.

Certainly, the administration has more important foreign-policy issues on its agenda than maintaining an embargo fueled by Cold War rancor rather than economic or political reality.

Mr. HOYER. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. ISTOOK. Mr. Chairman, I remind Members that we appreciate their support of this important measure.

Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN pro tempore. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The Chair shall accord priority in recognition to the gentleman from Florida (Mr. GOSS), or his designee, to offer the amendment printed in House Report 107–585, which may be offered only at the appropriate point in the reading of the bill, shall be considered read, and shall not be subject to amendment.

Except as otherwise specified, during the consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in a designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5120

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $3,500,000 for official travel expenses; not to exceed $3,813,000, to remain available until expended for information technology modernization requirements; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate, $187,241,000: *Provided*, That of these amounts $2,900,000 is available for grants to State and local law enforcement groups to help fight money laundering: *Provided further*, That of these amounts, $5,893,000 shall be for the Treasury-wide Financial Statement Audit Program, of which such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: *Provided further*, That this transfer authority shall be in addition to any other provided in this Act.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $68,828,000, to remain available until expended: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $35,424,000.

INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $123,962,000.

AIR TRANSPORTATION STABILIZATION PROGRAM ACCOUNT

For necessary expenses to administer the Air Transportation Stabilization Board established by section 102 of the Air Transportation Safety and System Stabilization Act (Public Law 107–42), $6,041,000, to remain available until expended.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, $32,932,000, to remain available until expended.

EXPANDED ACCESS TO FINANCIAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

To develop and implement programs to expand access to financial services for low- and moderate-income individuals, $4,000,000, such funds to become available upon authorization of this program as provided by law and to remain available until expended: *Provided*, That of these funds, such sums as may be necessary may be transferred to accounts of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds shall be used to provide real property, automated teller machines or any other equipment for use by any financial institution: *Provided further*, That none of the funds shall be used to support any program or activity that incurs costs in excess of $100 for each participant who is expected to establish an account: *Provided further*, That none of the funds shall be used for any program or activity that does not provide at least $0.50 in non-Federal matching funds for each $1.00 received from the Expanded Access to Financial Services account.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Secretary, $33,000,000, to remain available until expended, to reimburse any Department of the Treasury organization for the costs of providing support to counter, investigate, or prosecute unexpected threats or acts of terrorism, including payment of rewards in connection with these activities: *Provided*, That any Federal agency may be reimbursed for costs of responding to the United States Secret Service's request to provide security at National Special Security Events: *Provided further*, That any amount provided under this heading shall be available only after notice of its proposed use has been transmitted to the Committees on Appropriations in accordance with guidelines for reprogramming and transfer of funds and such amount has been apportioned pursuant to 31 U.S.C. 1513.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $51,444,000, of which not to exceed $3,400,000 shall remain available until September 30, 2005; and of which $8,338,000 shall remain available until September 30, 2004: *Provided*, That funds appropriated in this account may be used to procure personal services contracts.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $11,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109, $152,951,000, of which $650,000 shall be available for an interagency effort to establish written standards on accreditation of Federal law enforcement training; and of which up to $24,266,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2005, and of which up to 20 percent of the $24,266,000 also shall be available for travel, room and board costs for participating agency basic training during the first quarter of a fiscal year, subject to full reimbursement by the benefitting agency: *Provided*, That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: *Provided further*, That the Center is authorized to accept detailees from other Federal agencies, on a non-reimbursable basis, to staff the accreditation function: *Provided further*, That notwithstanding any other provision of law, students attending training at any Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: *Provided further*, That funds appropriated in this account shall be available, at the discretion of the Director, for the following: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be waived by the Secretary for law enforcement training activities in foreign countries undertaken pursuant to section 801 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–32); training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training sponsored by the Center: *Provided further*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That the Center is authorized to provide training for the Gang Resistance Education and Training program to Federal and non-Federal personnel at any facility in partnership with the Bureau of Alcohol, Tobacco and Firearms: *Provided further*, That the Center is authorized to provide short-term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, $31,800,000, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For expenses necessary to conduct investigations and convict offenders involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement, as it relates to the Treasury Department law enforcement violations such as money laundering, violent crime, and smuggling, $110,594,000.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $220,664,000, of which not to exceed $9,220,000 shall remain available until September 30, 2005, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 822 vehicles for police-type use, of which 650 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where a major investigative assignment requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed $20,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; not to exceed $50,000 for cooperative research and development programs for Laboratory Services and Fire Research Center activities; and provision of laboratory assistance to State and local agencies, with or without reimbursement, $891,034,000; of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); of which up to $2,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries including Social Security and Medicare, travel, fuel, training, equipment, supplies, and other similar costs of State and local law enforcement personnel, including sworn officers and support personnel, that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms; of which $13,000,000, to remain available until expended, shall be available for disbursements through grants, cooperative agreements or contracts to local governments for Gang Resistance Education and Training; and of which $3,200,000 for new headquarters shall remain available until September 30, 2004: *Provided*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco and Firearms to other agencies or Departments in fiscal year 2003: *Provided further*, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: *Provided further*, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of ''Curios or relics'' in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further*, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase and lease of up to 1,535 motor vehicles, of which 550 are for replacement only and of which 1,500 are for police-type use and commercial operations; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed $40,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service, $2,496,165,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; not to exceed $4,000,000 shall be available until expended for research; not less than $100,000 shall be available to promote public awareness of the child pornography tipline; not to exceed $5,000,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081; not to exceed $8,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation; and not to exceed $5,000,000 shall be available until expended for repairs to Customs facilities: *Provided*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That notwithstanding any other provision of law, the fiscal year aggregate overtime limitation prescribed in subsection 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 261 and 267) shall be $30,000.

AMENDMENT NO. 13 OFFERED BY MR. ROGERS OF MICHIGAN

Mr. ROGERS of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. ROGERS of Michigan:

In the item relating to ''UNITED STATES CUSTOMS SERVICE–SALARIES AND EXPENSES'', after the second dollar amount, insert ''(increased by $700,000)''.

In the item relating to ''INTERNAL REVENUE SERVICE–PROCESSING, ASSISTANCE, AND MANAGEMENT'', after the first dollar amount, insert ''(reduced by $700,000)''.

Mr. ROGERS of Michigan. Mr. Chairman, I want to thank my colleagues, and I will ask for their help because Michigan today needs their help.

In the Civil War we mustered 90,000 troops to defend the Union. We had the second most diverse crop of agriculture in the United States. We offer all the flavors of this great country to our fellow States around.

Michigan is responsible for creating the permanent middle class in America when Henry Ford decided to pay the workers on the line $5 a day. We became, in World War II, we converted all of our automobile making capacity to be the arsenal of democracy for the world. We did that for the United States of America. We have 20 percent of the world's fresh water right there in Michigan, all of it worth defending. And I am here to tell you today that Michigan right now is under attack. And I need every colleague in this House from Maine to California to Florida and everybody in between to step up to the plate and say, We will stand beside you, those who have stood by America before.

In the year 2000, Canadians sent 4.2 million cubic yards of waste to Michigan, nearly double from the year before. Canada is the second largest land mass country in the world, and yet they think they are unable to handle their own trash. This gets worse.

Toronto is scheduled to close its last landfill at the end of the year. Recently, city workers in Toronto went on strike. I want to point this out to you. This is the scene in Toronto just a few weeks ago: trash blocking roadways. This is a park area they had to fill in with trash from Toronto. As you can see, the residents were just throwing bags over the fence, piling up everywhere all across their city.

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Here is the bad news about that. All of that trash that my colleagues see right here, absolutely unregulated as to what is in its contents, is coming to the great State of Michigan. Let me just quote for my colleagues from someone from Toronto, when they settled the strike and said it is all over, she was quoted as saying ''I'm relieved that it's on its way. It was polluted, smelly and germy.''

One hundred sixty trucks a day of polluted, smelly and germy Toronto trash coming to pollute the great State of Michigan, and at the end of this year, when their landfill closes, that is going to go to nearly 250 trucks every day of this trash in our landfills. Michigan has had a long-term vision of this. Just with Canadian trash alone, it cuts our landfill capacity from 20 years to 10 years, and getting smaller every day.

In the one landfill that we found that accepted Canadian trash, PCBs, soil

coffin waste, I do not know what that is, scares me to find out, the needle program in Toronto coming to a landfill near the great citizens of Michigan.

This amendment is important today. There is a lot of work we need to do on this issue to stop it, but before we do that, we ought to be able to have the courage today to stand with our fellow Michiganders and say we are going to give them at least the hope to protect their environment in the great State of Michigan.

The purpose is to hire six Customs agents to be stationed 24 hours a day on the Ambassador Bridge and the Detroit Windsor Tunnel, whose sole responsibility is to inspect Canadian trash coming into Michigan. The money includes equipment, training and benefits.

Now, the only way that we are going to stop this trash, whatever is in that bag that that Torontan is sending to us, is to get our hands dirty and crawl around in it and inspect it and find out where the PCBs are coming from, where the soil coffin waste is coming from, where their bottles, which they refuse to have a deposit program like Michigan does, is coming from.

This is the right and decent thing to do to let us in Michigan defend our borders as we have stood with the rest of this country to defend their borders.

I am going to ask my colleagues again today, please strongly support this amendment. We want to make sure that every trash container coming into Michigan meets existing environmental and health regulations. Today, we have no idea if that is happening. Today, we have no idea if there is leeching from this material, ruining our lakes, our streams, ruining the great land of Michigan.

Instead of spending a little more money going after grandma who owes the IRS 12 bucks, we are going to say please spend just a little bit less of that $4 billion that we are reducing to protect the health and environment of my home State, the great State of Michigan, and I challenge all of my colleagues to please support this issue. Stand loudly with us as we tell the Canadians to please handle their own trash and leave the littering to those who get a ticket.

Mr. ISTOOK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not consume the 5 minutes. I certainly appreciate the passion of the gentleman from Michigan (Mr. ROGERS). It certainly is a significant problem. I am not quite sure what it will take to resolve it totally, but at this point anyway, we certainly would be willing to accept the amendment.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I agree with the gentleman from Oklahoma (Mr. ISTOOK). I know that the gentleman from Michigan has worked very hard on this, other Members in Michigan, and we will have no objection to this amendment.

Mr. BARCIA. Mr. Chairman, I rise in support of the amendment offered by my friend and colleague from Michigan, Mr. Rogers, who has been a leader on this issue of waste importation since coming to Congress.

In 2000, Canadians sent 4.2 million cubic yards of waste to Michigan—nearly double from the year before, and that staggering figure is only going to increase as Toronto is scheduled to close its last landfill at the end of this year.

Every day, more than 150 trucks carrying solid waste from Canada come across just two bridges into my home state of Michigan, headed for nearby landfills, another number sure to increase as landfills in Ontario shut down.

What the importation of trash from Canada has done is to cut Michigan's landfill capacity in half, but what's worse, the trash often contains PCB's and other harmful waste which does not meet existing environmental and health regulations in this country.

That leaves Michiganders suffering a variety of medical ailments and American taxpayers footing much of the bill for their treatment. And for what? So that we can dispense of Canadian trash.

The amendment currently before the House takes less than 2 percent of the $3.8 billion in funding allocated by the bill for IRS Processing, Assistance and Management and uses it to hire six new customs agents to be stationed at two U.S. entry points in Michigan whose sole job it is to inspect the trash coming across our borders every day.

These customs agents will protect American citizens—and not only those in Michigan—by preventing harmful waste from entering our country and our communities at the border.

The importation of solid waste from Canada will still be a problem to communities across Michigan even if this amendment passes and this legislation is signed into law. But at least the people living in these communities will be able to sleep easy knowing that their health is no longer at risk from this trash.

This amendment is very simple, very straightforward, and very cost effective, and I urge it's adoption.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The question is on the amendment offered by the gentleman from Michigan (Mr. ROGERS).

The amendment was agreed to.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

HARBOR MAINTENANCE FEE COLLECTION

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103–182, $3,000,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with the Customs ''Salaries and Expenses'' account for such purposes.

OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $190,000,000, which shall remain available until expended: *Provided*, That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of the Treasury, during fiscal year 2003 without the prior approval of the Committees on Appropriations.

AUTOMATION MODERNIZATION

For expenses not otherwise provided for Customs automated systems, $439,332,000, to remain available until expended, of which not less than $316,900,000 shall be for the development of the Automated Commercial Environment: *Provided*, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until the United States Customs Service prepares and submits to the Committees on Appropriations a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including OMB Circular A–11, part 3; (2) complies with the United States Customs Service's Enterprise Information Systems Architecture; (3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the Customs Investment Review Board, the Department of the Treasury, and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office: *Provided further*, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until such expenditure plan has been approved by the Committees on Appropriations.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2003 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $34,900,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $173,073,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until expended for systems modernization: *Provided*, That the sum appropriated herein from the General Fund for fiscal year 2003 shall be reduced by not more than $4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2003 appropriation from the General Fund estimated at $168,673,000. In addition, $40,000, to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau

for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service for pre-filing taxpayer assistance and education, filing and account services, shared services support, general management and administration; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,955,777,000, of which up to $3,950,000 shall be for the Tax Counseling for the Elderly Program, of which $9,000,000 shall be available for low-income taxpayer clinic grants, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; conducting a document matching program; resolving taxpayer problems through prompt identification, referral and settlement; compiling statistics of income and conducting compliance research; purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,729,072,000 of which not to exceed $1,000,000 shall remain available until September 30, 2005, for research.

EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

For funding essential earned income tax credit compliance and error reduction initiatives, $146,000,000, of which not to exceed $10,000,000 may be used to reimburse the Social Security Administration for the costs of implementing section 1090 of the Taxpayer Relief Act of 1997.

INFORMATION SYSTEMS

For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,632,444,000, which shall remain available until September 30, 2004.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service, $436,000,000, to remain available until September 30, 2005, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11 part 3; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the General Accounting Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1–800 help line service.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 610 vehicles for police-type use for replacement only, and hire of passenger motor vehicles; purchase of American-made side-car compatible motorcycles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem andor subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed $25,000 for official reception and representation expenses; not to exceed $100,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year, $1,017,892,000, of which $1,633,000 shall be available for forensic and related support of investigations of missing and exploited children, and of which $4,000,000 shall be available as a grant for activities related to the investigations of exploited children and shall remain available until expended: *Provided*, That up to $18,000,000 provided for protective travel shall remain available until September 30, 2004; *Provided further*, That funds appropriated in this account shall be available, at the discretion of the Director, for the following: training United States Postal Service law enforcement personnel and Postal police officers, training Federal law enforcement officers, training State and local government law enforcement officers on a space-available basis with or without reimbursement of actual costs to this appropriation, training private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation, and training foreign law enforcement officers on a space-available basis with reimbursement of actual costs to this appropriation: *Provided further*, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from agencies and entities receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That the James J. Rowley Training Center is authorized to provide short-term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, $3,519,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 110. Any obligation or expenditure by the Secretary of the Treasury in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 2003, shall be made in compliance with reprogramming guidelines.

SEC. 111. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 112. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 2003 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

SEC. 113. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, United States Customs Service, Interagency Crime and Drug Enforcement, and United States Secret Service may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

Mr. ISTOOK. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 44, line 12, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The text of the bill from page 26, line 13, to page 44, line 12, is, as follows:

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Office—Salaries and Expenses, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: *Provided*, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 118. The Secretary of the Treasury may transfer funds from ''Salaries and Expenses'', Financial Management Service, to the Debt Services Account as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such Salaries and Expenses account from debt collections received in the Debt Services Account.

SEC. 119. Section 122(g)(1) of Public Law 105–119 (5 U.S.C. 3104 note), is further amended by striking ''4 years'' and inserting ''5 years''.

SEC. 120. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 121. None of the funds appropriated or made available by this Act may be used for the production of Customs Declarations that do not inquire whether the passenger had been in the proximity of livestock.

SEC. 122. The Federal Law Enforcement Training Center is directed to establish an accrediting body that will include representatives from the Federal law enforcement community, as well as non-Federal accreditation experts involved in law enforcement training. The purpose of this body will be to establish standards for measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

This title may be cited as the ''Treasury Department Appropriations Act, 2003''.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $60,014,000, of which $31,014,000 shall not be available for obligation until October 1, 2003: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2003.

This title may be cited as the ''Postal Service Appropriations Act, 2003''.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: *Provided further*, That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, $50,715,000: *Provided*, That $8,650,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency.

OFFICE OF HOMELAND SECURITY

SALARIES AND EXPENSES

For necessary expenses of the Office of Homeland Security, pursuant to Executive Order 13288, $24,061,000: *Provided*, That the Office of Homeland Security shall submit a report identifying estimated obligations for each function assigned to this Office pursuant to Executive Order 13288 to the House Committee on Appropriations no later than November 1, 2002.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $12,228,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $1,200,000, to remain available until expended, for projects for required maintenance, safety and health issues, and continued preventative maintenance.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence

expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $3,160,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $324,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisors in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $3,763,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $3,251,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $7,803,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $92,681,000, of which $17,495,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President: *Provided*, That the Executive Office of the President shall submit a report to the House Committee on Appropriations that includes a current description of: (1) the Enterprise Architecture, as defined in OMB Circular A–130 and the Federal Chief Information Officers Council guidance; (2) the Information Technology (IT) Human Capital Plan; (3) the capital investment plan for implementing the Enterprise Architecture; and (4) the IT capital planning and investment control process: *Provided further*, That this report shall be reviewed and approved by the Office of Management and Budget, and reviewed by the General Accounting Office.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, $61,492,000, of which not to exceed $5,000,000 shall be available to carry out the provisions of chapter 35 of title 44, United States Code, and of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or the Committees on Veterans' Affairs or their subcommittees: *Provided further*, That the preceding shall not apply to printed hearings released by the Committees on Appropriations or the Committees on Veterans' Affairs: *Provided further*, That none of the funds appropriated in this Act may be available to pay the salary or expenses of any employee of the Office of Management and Budget who, after February 15, 2003, calculates, prepares, or approves any tabular or other material that proposes the sub-allocation of budget authority or outlays by the Committees on Appropriations among their subcommittees.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods $5,000,000 to remain available until expended: *Provided*, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ELECTION ADMINISTRATION REFORM AND RELATED EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the implementation of election administration reform, and related expenses, $200,000,000, to remain available until expended: *Provided*, That such amount shall not be available for obligation until the enactment of legislation that establishes programs for improving the administration of elections: *Provided further*, That, upon the enactment of such legislation, the Director of the Office of Management and Budget shall transfer the specific amounts authorized, for the purposes designated, to the Federal entities specified by such legislation, and according to the provisions established in H.R. 3295, as passed by the House of Representatives on December 12, 2001: *Provided further*, That, within 15 days of such transfers, the Director of the Office of Management and Budget shall notify the Congress of the amounts transferred to each authorized Federal entity: *Provided further*, That the entities to which the amounts are transferred shall use the amounts to carry out the applicable provisions of such legislation: *Provided further*, That the transfer authority provided in this paragraph shall be in addition to any other transfer authority provided in this or any other Act: *Provided further*, That the Federal entities referred to in the second proviso shall establish a program under which the entity shall make a one-time payment to the chief election authority of each State which, on a Statewide basis, obtained optical scan or electronic voting equipment for the administration of elections for Federal office in the State prior to the regularly scheduled general election for Federal office held in November 2000: *Provided further*, That the amount of the payment made with respect to a State under the program under the previous proviso shall be equal to the costs incurred by the State in obtaining the optical scan or electronic voting equipment used to administer the most recent regularly scheduled general election for Federal office in the State, except that in no case may the amount of the payment exceed $6,000 per voting precinct in the State at the time of the election: *Provided further*, That total payments made under the program under the sixth proviso shall not exceed $23,000,000.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $24,458,000; of which $2,350,000 shall remain available until expended, consisting of $1,350,000 for policy research and evaluation, and $1,000,000 for the National Alliance for Model State Drug Laws: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office: *Provided further*, That $5,000,000 of these funds shall not be obligated until the Director submits performance measures of effectiveness for the High Intensity Drug Trafficking Areas program to the House Committee on Appropriations: *Provided further*, That none of the funds appropriated shall be used to submit a fiscal year 2004 budget request that is not supported by performance measures of effectiveness data, including supporting justifications for each High Intensity Drug Trafficking Area and an optimal spending allocation based on the same measures.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $55,800,000, which shall remain available until expended, consisting of $26,064,000 for counternarcotics research and development projects, and $29,736,000 for the continued operation of the technology transfer program: *Provided*, That the $26,064,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $246,350,000, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of the enactment of this Act: *Provided*, That up to 49 percent, to remain available until September 30, 2004, may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which not less than $2,100,000 shall be used for auditing

services and associated activities, and at least $500,000 of the $2,100,000 shall be used to develop and implement a data collection system to measure the performance of the High Intensity Drug Trafficking Areas Program: *Provided further*, That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2002, shall be funded at no less than fiscal year 2002 levels unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance measures of effectiveness.

SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $240,800,000, to remain available until expended, of which the following amounts are available as follows: $170,000,000 to support a national media campaign, as authorized by the Drug-Free Media Campaign Act of 1998, including no less than $150,000,000 for media buys; $60,000,000 for a program of assistance and matching grants to local coalitions and other activities, as authorized in chapter 2 of the National Narcotic Leadership Act of 1988; $6,000,000 for the Counterdrug Intelligence Executive Secretariat; $2,000,000 for evaluations and research related to National Drug Control Program performance measures; $1,000,000 for the National Drug Court Institute; $1,000,000 for the United States Anti-Doping Agency for anti-doping activities; and $800,000 for the United States membership dues to the World Anti-Doping Agency: *Provided*, That such funds may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000.

This title may be cited as the ''Executive Office Appropriations Act, 2003''.

The CHAIRMAN pro tempore. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $4,629,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $49,426,000, of which no less than $5,866,700 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $28,677,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount to be deposited in, and to be used for the purposes of, the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)), $325,711,000. The revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $6,961,930,000, of which: (1) $646,385,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:

New Construction:

Arkansas:

Little Rock, United States Courthouse Annex, $77,154,000

California:

San Diego, United States Courthouse Annex, $23,901,000

District of Columbia:

Washington, Southeast Federal Center Site Remediation, $6,472,000

Florida:

Fort Pierce, United States Courthouse, $2,744,000

Iowa:

Cedar Rapids, United States Courthouse, $5,167,000

Maine:

Jackman, Border Station, $9,194,000

Maryland:

Montgomery County, FDA consolidation, $45,500,000

Suitland, National Oceanic and Atmospheric Administration II, $9,461,000

Suitland, United States Census Bureau, $176,919,000

Mississippi:

Jackson, United States Courthouse, $7,276,000

Missouri:

Cape Girardeau, United States Courthouse, $49,311,000

Montana:

Raymond, Border Station, $7,753,000

New York:

Brooklyn, United States Courthouse Annex—GPO, $39,500,000

Champlain, Border Station, $5,000,000

Massena, Border Station, $1,646,000

New York, U.S. Mission to the United Nations, $57,053,000

North Dakota:

Portal, Border Station, $2,201,000

Oregon:

Eugene, United States Courthouse, $77,374,000

Tennessee:

Nashville, United States Courthouse, $7,095,000

Texas:

Austin, United States Courthouse, $13,809,000

Utah:

Salt Lake City, United States Courthouse, $6,018,000

Washington:

Oroville, Border Station, $6,572,000

Nationwide:

Judgment Fund Repayment, $3,012,000

Nonprospectus Construction, $6,253,000:

Provided, That funding for any project identified above may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That all funds for direct construction projects shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) $978,529,000 shall remain available until expended for repairs and alterations which includes associated design and construction services: *Provided further*, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount by project, as follows, except each project may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount:

Repairs and Alterations:

California:

Los Angeles, Federal Building, 300 North Los Angeles Street, $93,166,000

San Francisco, Appraisers Building, $20,283,000

Tecate, Tecate U.S. Border Station, $5,709,000

Connecticut:

New Haven, Robert N. Gaimo Federal Building, $18,507,000

District of Columbia:

Federal Office Building 10A Garage, $5,454,000

Harry S Truman Building (State), $29,443,000

Illinois:

Chicago, U.S. Custom House, $9,000,000

Iowa:

Davenport, Federal Building and U.S. Courthouse, $12,586,000

Maryland:

Baltimore, Metro West, $6,162,000
Woodlawn, Operations Building, $96,905,000
Massachusetts:
Boston, John F. Kennedy Federal Building Plaza, $3,271,000
Missouri:
Kansas City, Bannister Federal Complex, Building 1, $16,130,000
Kansas City, Bannister Federal Complex, Building 2, $3,148,000
New Hampshire:
Manchester, Norris Cotton Federal Building, $17,668,000
Portsmouth, Thomas J. McIntyre Federal Building, $11,149,000
New York:
New York, Jacob K. Javits Federal Building, $7,568,000
Ohio:
Cleveland, Howard M. Metzenbaum U.S. Courthouse, $15,212,000
Pennsylvania:
Pittsburgh, William S. Moorhead Federal Building, $68,793,000
Texas:
Dallas, Earle Cabell Federal Building—Courthouse and Santa Fe Federal Building, $16,394,000
Fort Worth, Fritz Garland Lanham Federal Building, $15,249,000
Washington:
Seattle, Henry M. Jackson Federal Building, $26,832,000
Nationwide:
Chlorofluorocarbons Program, $8,000,000
Design Program, $45,027,000
Elevator Program, $21,533,000
Energy Program, $8,000,000
Glass Fragmentation Program, $20,000,000
Terrorism, $10,000,000

Basic Repairs and Alterations, $367,340,000: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2004, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects; (3) $178,960,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $3,153,211,000 for rental of space which shall remain available until expended; and (5) $1,925,160,000 for building operations which shall remain available until expended: *Provided further*, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2003, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of $6,961,930,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

POLICY AND CITIZEN SERVICES

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; providing Internet access to Federal information and services; and services as authorized by 5 U.S.C. 3109, $65,995,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; telecommunications, information technology management, and related technology activities; agency-wide policy direction and management, and Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses, $77,904,000, of which $17,463,000 shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $37,617,000: *Provided*, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $3,339,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 402. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 2003 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 404. No funds made available by this Act shall be used to transmit a fiscal year 2004 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: *Provided*, That the fiscal year 2004 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 406. Funds provided to other Government agencies by the Information Technology Fund, General Services Administration, under section 110 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757) and sections 5124(b) and 5128 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1424(b) and 1428), for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 407. From funds made available under the heading ''Federal Buildings Fund, Limitations on Availability of Revenue'', claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $31,788,000 together with not to exceed $2,594,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in

amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), $1,996,000 to remain available until expended: *Provided*, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $1,309,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $249,731,000: *Provided*, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings: *Provided further*, That of the funds made available, $11,837,000 is for the electronic records archive, $10,137,000 of which shall be available until September 30, 2005.

AMENDMENT NO. 19 OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-McDONALD. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Ms. MILLENDER-MCDONALD:

Page 61, line 12, insert before the period the following:

: Provided further, That, of the funds provided in this paragraph, $600,000 shall be for the preservation of the records of the Freedmen's Bureau, as required by section 2910 of title 44, United States Code, and as authorized by section 3 of the Freedmen's Bureau Records Preservation Act of 2000 (Pub. L. 106–444)

Ms. MILLENDER-McDONALD. Mr. Chairman, I would like to thank the chairman and the ranking member for their support and leadership on this issue.

As we began to deliberate and consider fiscal year 2003 Treasury Postal appropriations, I am pleased to offer an amendment to include continued funding for the Freedmen's Bureau Preservation Act of 2000. This legislation that became public law authorized $3 million over a 5-year period for the National Archive and Records Administration to microfilm the records, create a surname and locality index and to put this index on-line for access by the public.

These efforts are intended to preserve an important piece of American history for future generations. There are many historians, genealogists and family researchers interested in exploring the vast context and content of these records. As ship manifests are the vital link between European Americans and their European ancestors, the Freedmen's Bureau Records are the link for African Americans to their slave history.

For historians and genealogists, these records provide the critical link between the Civil War and the 1870 census, the first to list African Americans by name. Former slaves, recognized earlier in government census records only by sex, age and color, were named in the Bureau records as individuals in marriages, government rations lists, lists of colored people, labor contracts, indentured contracts for minors, medical and school records and as victims of violence.

So far in fiscal year 2002, the National Archives has completed filming the records of the Freedmen's Bureau field offices in Florida, approximately 15,000 images, and Alabama, approximately 35 images. Copies of the resulting film are being shipped to all 15 of the microfilm reading rooms managed by the National Archives throughout the country, with two locations in California.

Filming of approximately 23,000 images of Arkansas field office records is currently underway. Also, the National Archives has microfilmed approximately 5,000 images of marriage records included among Freedmen's Bureau's records at the headquarters level.

The agency has provided copies of the Florida field office film and the marriage records film to Howard University for use in testing indexing techniques.

Fiscal year 2003 funding will help to continue the National Archives work to complete the next phase of microfilming and begin the process of placing the index on-line in partnership with historically black colleges and universities.

This investment in preserving the records of our past is also an important investment in our future as these records provide a unique insight into American history.

Mr. Chairman, I urge the House to pass this measure to preserve and protect this unique chronicle of our country's past.

□ 1630

Mr. HOYER. Mr. Chairman, I move to strike the last word, and I rise in very strong support of this amendment sponsored by the gentlewoman from California, who chairs the Congressional Black Caucus and has been an outstanding leader on behalf of the recognition of the contributions of African Americans to the history of this country.

This amendment will provide $600,000 to be spent on records administration for the Freedmen's Bureau. She has well outlined the contributions of the Freedmen's Bureau and the historical importance of maintaining the records of the Freedmen's Bureau. This was arguably one of the most significant times in the history of African Americans; and as a result, the retaining of those records, the ensuring that those records are not only preserved but are available for researchers, for academics, and for the general public, is very, very important. So I commend her on her leadership on this.

The records of the Freedmen's Bureau are quite extensive, Mr. Chairman, according to the NARA. The inventory of the records of the bureau headquarters includes about 240 record ''series'' and much more voluminous records, more than 4,400 ''series'' of the field offices of the State assistant commissioners and their subordinate officers. Many of the latter series contain unique data about the freedmen. And I might add that freedmen, of course, also means freed women.

In fiscal year 2002, the committee provided $600,000 for preservation and access activities associated with the records of the Freedmen's Bureau. This was an increase, I might add, of $450,000 over the President's request. The amendment of the gentlewoman from California (Ms. MILLENDER-MCDONALD) will ensure that that same $600,000 will be spent this year to ensure that this effort is continued and enhanced. These funds will be used to help microfilm the records, assist researchers in using related documents, provide better access to record inventories, and create partnerships for developing indexes.

Mr. Chairman, I think this amendment is a very, very important amendment and will, as I say, help NARA in pursuing this project. I might add, on behalf of the leadership of NARA, they are very enthusiastic about pursuing this, and this will help them do that; and it will certainly justify the fact that they spend the resources necessary to effect the ends that the gentlewoman from California seeks and that we all seek in making sure that we know this history, which was so critically important as this country moved from a country that articulated a premise that all men and women were created equal and endowed by their creator with certain inalienable rights.

Unfortunately, as Martin Luther King so dramatically and powerfully intoned, we were not living up to that promise, and the Emancipation Proclamation started us on that road. We are still not at the end of that road, and perhaps we will never get to the end of that road; but we can learn from this period of our history, and we can expand upon the promise that it made.

Mr. ISTOOK. Mr. Chairman, I move to strike the requisite number of words, and I rise in response to the motion of the gentlewoman from California (Ms. MILLENDER-MCDONALD).

I want to say that certainly I propose accepting the amendment. We had a line item in the bill last year regarding the Freedmen's Bureau, and I realize the preservation of the records and the history is very important to preserve the heritage of this country and particularly of the group of people that were involved in the former institutions of slavery and being freed from it.

So I believe that this is something that would have been funded by the National Archives and Records Administration with or without the amendment. We have had enough conversations with them, but I appreciate the gentlewoman's desiring to be certain on this, and I support her desire for that certainty; and I certainly support and accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD).

The amendment was agreed to.

Mr. ISTOOK. Mr. Chairman, I ask unanimous consent that the remainder of the bill, through page 67, line 21, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The text of the bill from page 61, line 13, through page 67, line 21, is as follows:

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $10,458,000, to remain available until expended, of which $1,250,000 is for the Military Personnel Records Center preliminary design studies, and $3,250,000 is for repairs to the Lyndon Baines Johnson Presidental Library Plaza.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $7,000,000, to remain available until expended.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978 and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $10,486,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $128,986,000, of which $24,000,000 shall remain available until expended for the cost of the government-wide human resources data network project, and $2,500,000 shall remain available until expended for the cost of leading the government-wide initiative to modernize Federal payroll systems and service delivery; and in addition $120,791,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $27,640,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8909(g), and 9004(f)(1)(A) and (2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2003, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $1,498,000; and in addition, not to exceed $10,766,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, and the Act of August 19, 1950 (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $12,432,000.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $37,305,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

For necessary expenses of the White House Commission on the National Moment of Remembrance, as authorized by Public Law 106–579, $250,000.

This title may be cited as the ''Independent Agencies Appropriations Act, 2003''.

TITLE V—GENERAL PROVISIONS

THIS ACT

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 503. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

The CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 504. None of the funds made available by this Act shall be available for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Department of the Treasury.

Mr. SMITH of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from Oklahoma, the chairman of the subcommittee, about a provision in the underlying bill.

First of all, I wish to express my concern about a provision in the underlying bill that prevents the transfer of the Federal Law Enforcement Training Center from the Treasury Department to another Department of the executive branch. I know, for example, that the Department of Justice and the Select Committee on Homeland Security would at least like to have the option of perhaps transferring that Federal Law Enforcement Training Center out of the Treasury Department.

Mr. Chairman, could the gentleman give me some reassurance that that proposed transfer, if in fact it occurs and is a part of the recommendation of the select committee, will not be blocked by the underlying language in the bill?

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Texas. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, the provision the gentleman refers to, section 504 of the bill, is one that was crafted, I believe, prior to the recommendation for the Department of Homeland Security being formed.

It is certainly my intent, and I will endeavor to make sure our bill is consistent with this, that whatever is ultimately adopted by this body and by the other body, what is ultimately adopted by Congress regarding where the Federal Law Enforcement Training Center should be situated, whether it be in the Department of Justice, the Department of the Treasury, the Department of Homeland Security or elsewhere, whatever ultimately is the enactment as far as the Department of Homeland Security, is something that I will make sure that we have language consistent with that in the ultimate House-Senate version of the Treasury, Postal appropriation.

Mr. SMITH of Texas. Mr. Chairman, reclaiming my time, I thank the gentleman from Oklahoma for his reassurance.

Mr. KINGSTON. Mr. Chairman, I move to strike the last word, and I wanted to say to the chairman and the gentleman from Texas that in terms of moving the Federal Law Enforcement Training Center out of the Department of the Treasury and into the Department of Justice, as somebody who represents a significant portion of the Federal Law Enforcement Training Center, the first I learned about that was actually this morning. And while there have been rumors about the Department of Justice's interest in FLETC, I have not seen any case made to make that transfer possible.

So I would certainly oppose moving the Federal Law Enforcement Training Center out of the Department of the Treasury and strongly be opposed to it moving into the Department of Justice, based on the lack of information to make such a move; and I wanted to express that to the chairman.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, let me say that I believe that the interest of the gentleman from Georgia and mine in this situation are very akin to each other. What I wanted to do in the colloquy I just had with the gentleman from Texas (Mr. SMITH) was, frankly, avoid trying to unnecessarily get into a debate today, since we have so many other things that are going to be consuming debate time on the floor.

Although I believe that the Federal Law Enforcement Training Center should not, under current proposals, be transferred to the Department of Justice, nevertheless, I do not think it serves any purpose to try to engage in a debate on that today. Of the 21,000 students and 223 student-weeks of training that are currently conducted at FLETC, the Federal Law Enforcement Training Center, only about 5 percent of that training involves agencies that, under the proposal that will be on the House this week, would be under the Department of Justice. I do not think it would make sense to have FLETC be under the Department of Justice when only 5 percent of the work of FLETC is under the Department of Justice.

Now, I do not know if, under what we do later, things might remain in the Department of the Treasury or if they might go to the Department of Homeland Security; and those probably would give us some idea of what is the best solution. But I do not think that we need to have that debate today. We are going to be having debate on that, and similar things, later this week. And I think what we want to do is to make sure that ultimately we take a consistent position; that what comes out of our appropriations bill will ultimately be consistent with whatever the entire Congress and the President adopt regarding the Office of Homeland Security.

So, therefore, we had the colloquy rather than engaging in a debate on the amendment over this issue today.

Mr. SMITH of Texas. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I thank my friend from Georgia for yielding, and I also want to suggest to him that his concerns may be unjustified or unfounded, simply because, even if the training center were moved to another agency or another Department, that does not mean it is going to leave the State of Georgia.

So I do not think the gentleman needs to necessarily be concerned about losing that training center, even if it were to be transferred to another agency.

Mr. KINGSTON. Mr. Chairman, reclaiming my time, I thank my friend, the gentleman from Texas, for pointing that out. We do, of course, want to keep the physical plant, the jobs, and all the related benefits in Brunswick, Georgia, as part of it; but also I want to say it is not just that. It is that inside of FLETC there is a lot of angst and concern about moving it from the Department of Treasury to the Department of Justice, and we have not seen any justification for doing that right now. So it is not purely provincial that I am pushing this.

Mr. SMITH of Texas. Mr. Chairman, if the gentleman will continue to yield, we can continue the debate later, as the gentleman from Oklahoma suggested. But when we have the Department of Justice and the Select Committee on Homeland Security wanting to transfer it, let us have that debate another time; but let us not dismiss the equities of that argument.

Mr. KINGSTON. Once again, reclaiming my time, Mr. Chairman, I agree with my friend and thank him for his openness and look forward to the discussion with him and the chairman.

Mr. HEFLEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was in a defense conference with the Senate and missed my opportunity to offer this amendment on page 57. We have barely passed it. I do not think the committee is going to accept it, but I would at least like the opportunity to offer it. If they would grant me unanimous consent to do so, I would appreciate that.

The CHAIRMAN. The gentleman asks unanimous consent that we go to page 56 in the bill. Is there objection to the request of the gentleman from Colorado?

Mr. ISTOOK. Mr. Chairman, reserving the right to object, as I understand it, this has to do with funding of the Office of Former Presidents, which, frankly, could open a time-consuming debate on this. Is the gentleman aware that it may be possible for him to offer his amendment at a later stage in the bill?

Mr. HEFLEY. Mr. Chairman, will the gentleman yield?

Mr. ISTOOK. I yield to the gentleman from Colorado.

Mr. HEFLEY. Mr. Chairman, I am aware we could do a reach-back amendment and do it later. However, I would rather do it now, when it is closer to the actual subject matter, than trying to amend it into the total of the overall bill. This would relate directly to what I am trying to get at rather than the total figures at the end of the bill. And I do not plan to take much time with it, if the gentleman does not.

□ 1645

Mr. ISTOOK. Mr. Chairman, although I wish to accommodate the gentleman, lest we set a precedent that would keep us from considering other amendments that come before us and having to constantly reach back in the bill, I object, although I would certainly cooperate with the gentleman in the mechanics where he can do it later in the bill.

The CHAIRMAN. Objection is heard.

The Clerk will read.

The Clerk read as follows:

SEC. 505. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 506. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Buy American Act (41 U.S.C. 10a–10c).

SEC. 507. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 508. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 509. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

SEC. 510. The provision of section 509 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 511. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2002 from appropriations made available for salaries and expenses for fiscal year 2002 in this Act, shall remain available through September 30, 2003, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 512. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 513. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

AMENDMENT NO. 17 OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. KUCINICH:

Page 71, beginning on line 1, strike section 513 (relating to applicability of cost accounting standards to Federal Employees Health Benefits Program).

Mr. KUCINICH. Mr. Chairman, this Congress has spoken at long length on the floor of the House about corporate accountability. If there is one thing that we have learned, it is that we must have standards and the companies must abide by them. Why then in this bill are health insurance companies in the Federal Employees Health Benefits Program exempted from cost accounting standards? Has Congress not learned from Enron, not learned from WorldCom?

My amendment would strike section 513 in this bill, which is the section which grants a waiver from complying with governmentwide cost accounting standards. This is a special exemption from Federal accounting standards. By granting this waiver, it exposes the government to increased risks from fraud and abuse. Federal employees, unions, the administration, and even some of the insurance carriers themselves have opposed this special exemption.

Given the public's lack of confidence in corporate accounting standards, it makes no sense for Congress to give an exemption for accounting standards to contractors participating in its own health care program, especially when these same accounting standards apply to every other Federal contractor. Cost accounting standards are designed to prevent fraud, overcharging and abuse. They serve as an important safeguard to save taxpayer money. They allow the government to track the cost of goods and services provided under specialized contracts when there is no market price available.

These accounting standards apply when Federal contractors charge the government based on negotiated cost-based pricing arrangements, and ensure that costs are properly calculated. If an exemption is truly needed and warranted, there is a process that Congress established in case such a situation arose. The Cost Accounting Standards Board, CASB, includes accounting experts for this very purpose.

Last year the statement of administration policy on this bill stated, ''The administration opposes section 513 which would continue the 1-year moratorium on the application of cost accounting standards under the FEHBP. A statutory moratorium is not required as existing law provides for an administration process which allows the CASB to exempt contracts from any or all CAS requirements.''

There is no reason that FEHBP contractors should get a special pass around the board. Congress created the Cost Accounting Standards Board specifically to deal with such issues. By allowing this waiver, it places insurance carriers of the FEHBP above the law. These carriers report charges annually to the FEHBP of billions of dollars, and when they do so, they report them in the manner of their own choosing and design. When they report their costs go up 10 or 15 or 20 percent, or even more, Congress has no way of effectively verifying those claims, or whether they may be losing millions of dollars to fraudulent claims.

In the current climate when health care costs continue to increase, it makes the exemption for FEHBP health plans even more egregious. The second largest participant in the plan, First Health, opposes this exemption. First Health, which has been in FEHBP for over 20 years and includes 1 million participants, recently wrote to the gentleman from Wisconsin (Mr. OBEY), ''I urge the Committee on Appropriations to not include language prohibiting the imposition of cost accounting standards to the FEHBP in the fiscal year 2003 Treasury-Postal appropriations bill.''

Clearly even the companies who benefit from the exemption understand the importance of abiding by government cost accounting standards. Now is not the time to be exempting companies from accounting standards. Enron and WorldCom have done enough. Other industries do not need Congress to give them a hand. Support the Kucinich amendment to strike section 513.

Mr. ISTOOK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio (Mr. KUCINICH). I recognize that cost accounting standards and accounting propriety is something that we all support and seek and we want to make sure that it is done. The difficulty, of course, is that this particular provision has been carried in this bill since 1998 at the request of the authorizing committee, namely the Committee on Government Reform. Why? Because, as the Office of Personnel Management has told us, the accounting standards that through the CAS are sought to be applied to insurance carriers through the Federal Employees Health Benefits Plan, as OPM told us, are in ''incompatible conflict'' with the accounting standards that are used within the insurance industry.

I think that the Chairman, as well as many Members, are aware that there are accounting differences depending

on the type of business, whether it is a publicly held corporation, whether it is a partnership or small business, whether it is a public utility, or in this case whether we are talking about an insurance company.

The concern is this: If we adopt this amendment, we may force out of the market insurance carriers that provide coverage to hundreds of thousands of Federal workers by arbitrarily and immediately cutting them off. I do not want to see hundreds of thousands of people lose their insurance benefits or be told now they have to shop around and find a different carrier under the FEHBP just because we made a quick and not fully informed decision on the floor of the House that we wanted to take some regulation that was meant to apply to other types of companies and apply them to insurance carriers under the FEHBP. That is my concern with the gentleman's amendment.

His desire to make sure that we have accounting propriety is well taken; but let us make sure that we do that in a reasoned way. Let us make sure that we go back to the authorizers, the Committee on Government Reform that originally asked for this provision to be carried in this bill several years ago, ask them to look at it, look at it in proper depth and with correct understanding of the accounting differences for different types of businesses.

I have been informed that more than half of all Federal employees could have their insurance coverage put at risk if we adopt the amendment of the gentleman from Ohio (Mr. KUCINICH). Members may agree or disagree that that is the case, but I for one do not want to take the chance without having a much more informed understanding of this situation.

It is a very technical amendment. It is a technical circumstance. The gentleman has excellent motives, but I think it is also an excellent motive to protect the insurance coverage of half or more of the Federal workers that we have in the United States.

So I oppose this amendment, but I look forward to working with the gentleman from Ohio (Mr. KUCINICH) to make sure that whether it be through FEHBP or through any other person or entity that does business with the Federal Government or with the taxpayers, we have proper, reliable accounting standards applied.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to speak in opposition to the gentleman's amendment. The gentleman from Ohio (Mr. KUCINICH) is a Member whom I enjoy working with on a host of issues, and I fully understand the gentleman's passion for establishing good cost accounting standards.

The cost accounting standard that we are trying to apply to the FEHBP program is a cost accounting standard that was essentially developed for defense contractors, and the issue that was brought up to us in the subcommittee, and the gentleman from Oklahoma (Mr. ISTOOK) mentioned that the authorizing committee opposes this amendment and supports the exemption, I am the chairman of that committee and this exemption was initially put in place by the gentleman from Florida (Mr. MICA) and continued by the gentleman from Florida (Mr. SCARBOROUGH), and it has been continued by myself.

The central issue here is we are trying to take cost accounting standards that were developed for defense contractors, and we are trying to apply them to the health care insurance industry.

Now the real issue here is Blue Cross/Blue Shield, and that is really what we are talking about. Blue Cross/Blue Shield insures 80 million Americans, and 4 million of those Americans are Federal employees. A lot of those Federal employees live in many of the affiliated States within the Blue Cross/Blue Shield system. Nationwide it is 5 percent, 4 percent of the entire Blue Cross/Blue Shield workforce, but in some States it is even less than that, and they are not going to want to participate.

The way I understand this works under the law within FEHBP, it is an all-or-none situation. It cannot be like Blue Cross/Blue Shield will stay in the system here in Washington, D.C. where they might have several hundred thousand employees, and let all of the affiliates in Oklahoma and Iowa withdraw. They have to participate nationally.

Now some of the other insurance carriers, I think maybe virtually all of them, have complied with the standards. But as I understand it, for all of them, they only do business with FEHBP. Blue Cross/Blue Shield is in a very unique position. What I have been told is essentially that they will withdraw, that it will be too much of a burden on them to convert their entire system over to comply, to meet the requirements for this relatively small percentage of their business, and that they will withdraw.

□ 1700

I guess we are going to try to call their bluff and see if they really will withdraw. But if they do withdraw, 4 million people are currently within the Blue Cross/Blue Shield FEHBP plan. Many of them are current Federal employees. Many of them are retirees. Some of them have been in Blue Cross/Blue Shield. And the important point I want to stress in all this is that OPM has testified to us that they have copious amounts of data, that they do not need more data. They did not say they had adequate levels of information. They said they have all the information they needed to verify that Blue Cross/Blue Shield within FEHBP is not skimming money away, that they are not engaging in any fraudulent behavior, that they have all of the insight that they need, and OPM has testified to us that they do not need this and that it is going to provide no additional information.

We are all for good, solid, especially in this climate, good, solid accounting standards; but the agency in the Federal Government, the Office of Personnel Management, is telling us they have all the insight they need; they have more than enough insight. So the net effect of all this may be, even if you did apply it to Blue Cross/Blue Shield, no new information, and the net effect may be that millions of Federal employees and retirees may actually ultimately withdraw.

I would encourage a ''no'' vote on the gentleman's amendment. I know his heart is in the right place, but having studied this through the subcommittee, I believe this exception should be kept in the current law. I strongly urge a ''no'' vote on the gentleman's amendment.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the previous speaker has raised many legitimate points, but out of courtesy I yield to the gentleman from Ohio.

Mr. KUCINICH. I thank the gentleman for yielding. With all due respect to my good friend, the gentleman from Florida (Mr. WELDON), I do not think we need to worry about Blue Cross/Blue Shield withdrawing because of the imposition of government cost accounting standards, because, in effect, Members should know that Blue Cross/Blue Shield is already complying with government accounting standards in Medicare and also the Tricare program which serves our veterans.

Furthermore, for my friends who indicate that a statutory moratorium would be required, the statement of administration policy has indicated that a statutory moratorium is not required, as existing law provides for an administrative process to exempt or waive classes or categories of contracts from any or all CAS requirements. So you do not need to go to the authorizing committee.

My friends who indicate that government cost accounting standards are not appropriate for FEHBP health plans should know that cost accounting standards are certainly appropriate for such plans if not more so than any other Federal contractors. The cost of health care is increasing, which makes it even more important for health care plans to account for the cost increases. Hewitt Health Care Resources reported last June that HMO premiums may increase 22 percent in 2003 and Congress should not be allowing health care plans a waiver from accounting for these types of dramatic increases.

Finally, where my friends indicate that government cost accounting standards are incompatible with the already existing accounting system used by the health care industry, they should know that any other government contractor faces the same issue

whether it has government as well as commercial clients, that this argument is not unique to health plans. Moreover, health plans have had more than 3 years to make the necessary changes in order to abide by the government cost accounting standards which, I might add, Mr. Chairman, is plenty of time. So if cost accounting standards are truly a legitimate problem, Congress has already established a cost accounting standards board to determine if a waiver is appropriate. This board is staffed by experts who have knowledge and expertise to make that determination. Allowing a blanket exemption by statute puts the FEHBP health plans above the law.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

The ranking member of our committee indicated, and I agree with him, that the gentleman from Florida (Mr. WELDON) raised some very legitimate and good points. The good news is that we have time to, I think, develop this issue further between now and the time of conference. I am pretty confident that the Senate will include similar language in their bill, so this will be a conferenceable item if it is not in the bill.

Clearly what the gentleman from Ohio seeks to do is to raise the issue of whether or not there ought to be a consistency in reporting costs so that OPM on behalf of Federal employees and Federal employees, generally, can make an assessment as to the costs that are being incurred by the insurers and, determining the cost, then what ought to be the appropriate level of premiums for the insurance that is gotten.

I think this is particularly cogent in a time when health care costs and premiums in particular for Federal employees and for all employees are starting to rise very, very substantially. So I understand what the gentleman from Ohio is saying. I think the gentleman from Florida (Mr. WELDON), who chairs the relevant subcommittee, makes some very good points; but I think either way what the gentleman from Oklahoma (Mr. ISTOOK) is saying, we need to look at this very carefully, and I am convinced that the gentleman from Oklahoma and I and the subcommittee, whatever happens on this amendment, are going to look very carefully at this between now and the markup.

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Florida.

Mr. WELDON of Florida. Mr. Chairman, I just want to raise a couple of points in response to some of the statements my friend from Ohio made but really just one in particular and, that is, as it relates to the Blue Cross/Blue Shield systems complying with the cost accounting standards within the Medicare plan, those are very distinct plans. In many cases the Medicare operation is actually housed in a wholly owned subsidiary and for some of these FEHBP plans, they have provider networks and they overlap with the products that they are offering employers in the region and it is not really an entirely separate system.

This is the problem that you get into specifically with the Blues as it relates to FEHBP. They are taking on a Federal employee, and they are taking on somebody who works in industry; they are offering the same product, and really what you are essentially asking the Blues to do with your amendment is adopt this new standard nationwide for all of their 80 million customers in order to keep this 4 million people within their system. It would be very costly for them to develop a separate standard for the 4 million people in FEHBP.

Frankly, I think what you are doing is essentially saying to them, are you going to do it? Are you going to withdraw?

Mr. HOYER. Reclaiming my time, I want to say, as I said before, and I think the gentleman raises obviously the problem that Blue Cross raises. On the other hand, it is interesting that OPM, I guess, through the administration, the administration opposes this provision. So the gentleman from Ohio (Mr. KUCINICH) essentially is offering the position of the administration on this amendment if you read the statement of administration policy.

Mr. KUCINICH. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Ohio.

Mr. KUCINICH. I want to say what a pleasure it is to be able to do that on behalf of the administration.

Mr. HOYER. Reclaiming my time, I know the gentleman's happiness at the present position he finds himself in.

But the point I want to make is, this is clearly not a partisan issue. This is an issue of judgment as to clearly we want to keep the Blues in the program. Some years ago we lost Aetna. We do not want to lose competitors in the program that will adversely affect Federal employees and adversely affect taxpayers who participate, as you know, in 70 percent of the average cost of the FEHBP. So clearly I think we all want to get to the same place, but I think there is some question here, and I tried to contact OPM today to follow up on this without success after I found out that the administration was for essentially the Kucinich amendment.

They did not mention that amendment. They simply mentioned that they were in favor of this provision being dropped. But clearly I want to assure the gentleman from Florida, and I know that having talked to the gentleman from Oklahoma (Mr. ISTOOK), the chairman of our committee, about this, whatever happens on this amendment, we are going to look very carefully at it; and we are not going to allow anything to happen which will adversely affect the Federal employees and which will unfairly affect Blue Cross/Blue Shield.

Mr. WAXMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Kucinich amendment which would strike section 513 of the bill. That provision contains a waiver from cost accounting standards for the insurance companies participating in the Federal Employees Health Benefit Program. In today's environment, the Federal Government should be setting an example by holding its own contractors to accounting standards in a consistent manner, not granting legislative waivers at the behest of insurance companies.

The accounting standards involved here are important. They ensure that the government is not overcharged for labor and materials, and not charged at all for certain unallowable costs like travel and entertainment. They also ensure that the government pays only its fair share of things like depreciation of equipment and pension costs.

Some insurers, like Blue Cross/Blue Shield, argue that these cost accounting standards are burdensome and will cost them too much money to adopt. That is really a very strange contention, given that Blue Cross/Blue Shield already complies with cost accounting standards for their contracts with the military's Tricare health program. And even if they did not already comply, the expenses related to implementing the accounting standards is an allowable cost which could be billed to the FEHBP. So I am afraid that this argument just does not hold water.

There is widespread opposition to this waiver. The administration opposes this waiver because the standards ensure consistent reporting of costs on Federal contracts. Federal employees oppose the waiver because they are rightly concerned that overcharges will result in unjustifiably high premiums for their members. And even some of the insurance carriers, such as First Health, oppose the waiver because they do not want to be associated with waivers from accounting standards in the current climate.

The taxpayers' money is at stake here. Granting a waiver from these standards exposes the government to waste and fraud. According to the Congressional Budget Office, the failure to apply these standards has already cost the taxpayers millions. There is an old adage: ''A good example is the best sermon.'' There has been a lot of sermonizing lately in Washington on the topic of corporate and governmental accountability. Today we have a chance to set a good example by adopting the Kucinich amendment.

I urge a ''yes'' vote on this important amendment.

Mrs. MINK of Hawaii. Mr. Chairman, I rise in support of Congressman KUCINICH's amendment to strike the section of the Treasury-Postal FY 2003 Appropriations bill that exempts companies in the Federal Employees Health Benefits Program (FEHBP) from following Cost Accounting Standards (CAS).

These accounting standards are written by an independent board within the Office of Management and Budget. The standards were created due to concerns about the pricing and accounting practices of defense contractors. Before the creation of the CAS, there was no consistency within and between contractors' cost accounting practices. Auditors could not conduct reviews, and the public had no assurance that the government was purchasing the best value for their tax dollars.

These standards are not an onerous set of accounts rules and regulations. The committee that creates the standards generally gives companies numerous cost accounting options for each regulation.

The CAS are needed to make sure greedy corporations do not defraud the government. They help ensure the accuracy of the charges submitted to the federal government. Yet, due to the hard work of a small group of health care providers, the CAS have never been applied to the FEHBP. Congress has waived these accounting standards in every Treasury-Postal Appropriations bill since FY 1999.

The exemption simply does not make any sense. The FEHBP covers nearly nine million active and retired federal employees, and it is the nation's largest employer-sponsored health insurance plan. Every year the government pays more than $20 billion to the health care providers in the plan. What corporation in America would pay this much money without having any way to rationally examine their expenses?

With daily stories of new scandals in the corporate world, now is not the time to exempt companies from basic accounting standards. Congress must remove this special exemption for the health insurance companies in the FEHBP.

I urge my colleagues to improve the accountability of FEHBP health insurance providers by supporting the Kucinich amendment.

The CHAIRMAN pro tempore (Mr. SIMPSON). The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was agreed to.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

SEC. 514. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 515. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 516. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2003 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: *Provided*, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 604. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

□ 1715

POINT OF ORDER

Mr. SMITH of Texas. Mr. Speaker, I make a point of order against the language beginning with ''Provided'' on page 74, line 15, through the word ''law'' on line 25. These provisos, which affect federal criminal rules of evidence and criminal laws, constitute legislation on an appropriations bill in violation of clause 2(b) of rule XXI of the House of Representatives.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. ISTOOK. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained.

Mr. ISTOOK. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 103, line 10, be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The text of the remainder of the bill through page 103, line 10, is as follows:

SEC. 605. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 607. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 608. Funds made available by this or any other Act for administrative expenses in

the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 609. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 610. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 611. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318a and 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318c).

SEC. 612. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 613. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2003, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 613 of the Treasury and General Government Appropriations Act, 2002, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2003, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 613; and

(2) during the period consisting of the remainder of fiscal year 2003, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2003 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2003 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 2002 under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2002, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2002, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2002.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 614. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 615. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 616. Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 617. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 618. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for the current fiscal year shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 619. None of the funds made available in this Act for the United States Customs Service may be used to allow—

(1) the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured child labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307); or

(2) the release into the United States of any good, ware, article, or merchandise on which the United States Customs Service has in effect a detention order, pursuant to such section 307, on the basis that the good, ware, article, or merchandise may have been mined, produced, or manufactured by forced or indentured child labor.

SEC. 620. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress

in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 621. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 622. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 623. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 624. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 625. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 626. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 627. (a) In this section the term ''agency''—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the General Accounting Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 628. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a total of $800,000 including the salary of the Executive Director and staff support.

SEC. 629. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse the ''Policy and Citizen Services'' account, General Services Administration, with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts. These funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives, the Chief Information Officers Council for information technology initiatives, and the Procurement Executives Council for procurement initiatives). The total funds transferred or reimbursed shall not exceed $17,000,000. Such transfers or reimbursements may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 630. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 631. Nothwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science; and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 632. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 633. Section 403(f) of Public Law 103–356 (31 U.S.C. 501 note) is amended by striking ''October 1, 2002'' and inserting ''October 1, 2003''.

SEC. 634. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF PERSONAL INFORMATION ON USE OF INTERNET.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to the rendition of the Internet site services or to the protection of the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 635. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF Health Plans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 636. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 637. Not later than 6 months after the date of enactment of this Act, the Inspector General of each applicable department or agency shall submit to the Committee on Appropriations a report detailing what policies and procedures are in place for each department or agency to give first priority to the location of new offices and other facilities in rural areas, as directed by the Rural Development Act of 1972.

SEC. 638. Section 7131 of title 5, United States Code, is amended by adding at the end the following:

''(e)(1) Each agency shall submit to each House of the Congress, the Office of Personnel Management, and the Office of Management and Budget, at the time the budget is submitted by the President to the Congress in each calendar year, a report on the use of official time within such agency during the fiscal year last ending before the date of the report's submission.

''(2) Each such report shall include, with respect to the fiscal year to which it pertains—

''(A) the number of hours of official time that employees spent on labor organization activities;

''(B) the number of employees who used official time for labor organization activities;

''(C) the number of employees who spent 100 percent of their time on labor organization activities;

''(D) the dollar value of the official time spent on labor organization activities;

''(E) the dollar value of the office space, equipment, telephone use, and supplies provided to employees using official time for labor organization activities; and

''(F) the benefits and disadvantages of using official time for labor organization activities.''.

SEC. 639. (a) ANNUAL IDENTIFICATION OF SUSCEPTIBLE PROGRAMS AND ACTIVITIES SUSCEPTIBLE TO IMPROPER PAYMENTS.—The head of each agency shall, in accordance with guidance prescribed by the Director of the Office of Management and Budget, annually review all programs and activities that it administers and identify all such programs and activities that may be susceptible to significant improper payments.

(b) ESTIMATION OF IMPROPER PAYMENTS.—With respect to each program and activity identified under subsection (a), the head of the agency concerned shall—

(1) estimate the annual amount of improper payments; and

(2) include that estimate in its annual budget submission.

(c) REPORTS ON ACTIONS TO REDUCE IMPROPER PAYMENTS.—With respect to any program or activity of an agency with estimated improper payments under subsection (b) that exceed 1 percent of the total program or activity budget or $1,000,000 annually (whichever is less), the head of the agency shall provide with the estimate under subsection (b) a report on what actions the agency is taking to reduce the improper payments, including—

(1) a statement of whether the agency has the information systems and other infrastructure it needs in order to reduce improper payments to minimal cost-effective levels;

(2) if the agency does not have such systems and infrastructure, a description of the resources the agency has requested in its budget submission to obtain the necessary information systems and infrastructure; and

(3) a description of the steps the agency has taken to ensure that agency managers (including the agency head) are held accountable for reducing improper payments.

(d) DEFINITIONS.—For the purposes of this section:

(1) AGENCY.—The term ''agency'' means an executive agency, as that term is defined in section 102 of title 31, United States Code.

(2) IMPROPER PAYMENT.—The term ''improper payment''—

(A) means any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements; and

(B) includes any payment to an ineligible recipient, any payment for an ineligible service, any duplicate payment, payments for services not received, and any payment that does not account for credit for applicable discounts.

(3) PAYMENT.—The term ''payment'' means any payment (including a commitment for future payment, such as a loan guarantee) that is—

(A) made by a Federal agency, a Federal contractor, or a governmental or other organization administering a Federal program or activity; and

(B) derived from Federal funds or other Federal resources or that will be reimbursed from Federal funds or other Federal resources.

(e) APPLICATION.—This section—

(1) applies with respect to the administration of programs, and improper payments under programs, in fiscal years after fiscal year 2002; and

(2) requires the inclusion of estimates under subsection (b)(2) only in annual budget submissions for fiscal years after fiscal year 2003.

(f) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—The Director of the Office of Management and Budget shall prescribe guidance to implement the requirements of this section.

SEC. 640. (a) Notwithstanding paragraph (17) of subsection (a) of the Policemen and Firemen's Retirement and Disability Act (sec. 5–701(17), D.C. Official Code) or any other provision of such Act to the contrary, for purposes of determining the amount of any annuity required to be paid under such Act with respect to an officer or member of the United States Secret Service who retired during fiscal year 1995, the officer's or member's average pay shall be the officer's or member's basic salary at the time of retirement.

(b) Subsection (a) shall apply with respect to any annuity paid—

(1) during fiscal year 1995 or any succeeding fiscal year, in the case of a survivor's annuity paid with respect to an officer or member of the United States Secret Service described in such subsection; or

(2) during fiscal year 2003 or any succeeding fiscal year, in the case of any other annuity paid with respect to an officer or member of the United States Secret Service described in such subsection.

SEC. 641. Section 902(b) of the Law Enforcement Pay Equity Act of 2000 (as enacted into law by Public Law 106–554), shall cease to be effective on January 1, 2003.

SEC. 642. No funds appropriated under this Act or any other Act with respect to any fiscal year shall be available to take any action based upon any provision of 5 U.S.C. 552 with respect to records collected or maintained by the Secretary of the Treasury or his delegate pursuant to 18 U.S.C. 846(b), 923(g)(3) or 923(g)(7), or obtained by the Secretary or delegate from Federal, State, local, or foreign law enforcement agencies in connection with arson or explosives incidents or the tracing of a firearm, except that the Secretary or delegate may continue to disclose such records to the extent and in the manner that records so collected, maintained, or obtained have been disclosed by the Secretary or delegate under 5 U.S.C. 552 prior to the date of the enactment of this Act.

SEC. 643. (a) The adjustment in rates of basic pay for the statutory pay systems that takes effect in fiscal year 2003 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 4.1 percent.

(b) Funds used to carry out this section shall be paid from appropriations which are made to each applicable department or agency for salaries and expenses for fiscal year 2003.

SEC. 644. (a) Section 9505(d) of title 5, United States Code, is amended by striking the second sentence and inserting the following: ''Such amount may not exceed the maximum amount which would be allowable under paragraph (3) of section 5384(b) if such paragraph were applied by substituting 'the Internal Revenue Service' for 'an agency'.''.

(b) The amendment made by subsection (a) shall apply with respect to fiscal years beginning after September 30, 2002.

SEC. 645. None of the funds made available in this Act may be used to finalize, implement, administer, or enforce—

(1) the proposed rule relating to the determination that real estate brokerage is an activity that is financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 307 et seq.); or

(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

SEC. 646. CORPORATE EXPATRIATES. (a) LIMITATION.—None of the funds made available in

this Act may be obligated for payment on any new contract to a subsidiary of a publicly traded corporation if the corporation is incorporated in a tax haven country but the United States is the principal market for the public trading of the corporation's stock.

(b) DEFINITION.—For purposes of subsection (a), the term ''tax haven country'' means each of the following: Barbados, Bermuda, British Virgin Islands, Cayman Islands, Commonwealth of the Bahamas, Cyprus, Gibraltar, Isle of Man, the Principality of Liechtenstein, the Principality of Monaco, and the Republic of the Seychelles.

(c) WAIVER.—The President may waive subsection (a) with respect to any specific contract if the President certifies to the Appropriations Committees that the waiver is required in the interest of national security.

The CHAIRMAN. Are there any other points of order?

POINT OF ORDER

Mr. DAVIS of Virginia. Mr. Chairman, I make a point of order under clause 2(b), rule XXI, legislating on an appropriations bill, against section 646, beginning at page 102, line 19, through page 103, line 10.

The CHAIRMAN. Do other Members wish to be heard on the point of order?

If not, the Chair finds that this provision includes language requiring a new determination by a certification. The provision, therefore, constitutes legislation, in violation of clause 2, rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

Are there any other points of order?

If not, are there any amendments?

AMENDMENT OFFERED BY MR. GOSS

Mr. GOSS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GOSS: Amendment printed in House Report 107–585:

Page 103, insert after line 10 the following new section:

SEC. 647. Any limitation in this Act on the use of funds to administer or enforce regulations restricting travel to Cuba or transactions related to travel to Cuba shall apply only after the President has certified to the Congress that the Cuban Government—

(1) does not possess and is not developing a biological weapons program that threatens the homeland security of the United States;

(2) is not providing to terrorist states or terrorist organizations technology that could be used to produce, develop, or deliver biological weapons; and

(3) is not providing support or sanctuary to international terrorists.

Mr. GOSS. Mr. Chairman, there exists a nation that for over 40 years has repeatedly declared its hostile intentions towards the United States of America and American citizens. It has consistently allied itself with our enemies, it has sought nuclear weapons on its soil, and abused its own citizens. It has violated human rights in an egregious way. This nation today is on the State Department list for sponsoring terrorism, and in the past it has provided funds and shelter for terrorist groups, groups such as the ETA, the Basque Nationalists, Colombian guerrillas, committing some of the great atrocities going on in our hemisphere now, IRA leaders, possibly even Iranian agents and others.

This nation's dictator has failed to share any useful intelligence information with us since 9/11, and calls our military response in Afghanistan not ''a war on terrorism,'' but ''a war for terrorism.'' The state, of course, I am referring to is Cuba, a nation only 90 miles from the southern boundaries of the United States of America.

Coming from a south Florida district, Mr. Chairman, I have long heard the arguments from both sides about the Cuban embargo and travel ban. Usually this debate evokes emotional issues on topics like human rights and free trade. I have not come to the floor today to rehash the old fights on those scores, because while these concerns are certainly still valid and will certainly be debated, I think the center of gravity in this discussion has shifted very dramatically since 9/11.

There is no doubt that Cuba has sponsored terrorist activity in the past. That is not arguable or debatable. It is fact. Whether it is a terrorist sponsor today remains a difficult, open question and one which of our executive agencies are working on, and one we do not want to have answered the wrong way or the hard way.

I do not see how, in good conscience, we can do business with Cuba's current regime when its activities are veiled by a closed society. How can we tell the world we will not tolerate terrorism, but, at the same time, open our economic door and all the benefits that that implies to a clearinghouse for those who harm innocent civilians?

Castro's coffers should not be enriched by the bounty of American travel dollars if he is aiding and abetting brutal criminals. Our tireless enemies are disciplined, they are persistent, and they are adaptable, as we have found out to our regret. They leave us few physical targets to attack and they are difficult to track.

However, they are vulnerable. Terrorists, like any other organization, need residence, they need logistic support, they need travel aid, they need money, they need safe harbor. Without these, they are little more than bitter outlaws.

Back in September, President Bush drew a clear line for all nations of the world when he declared, ''You are either with us, or you are with the terrorists.'' It is essential that groups like al Qaeda never again find a safe haven from which to rebuild, especially a place so near our nation.

For this reason, I bring this amendment to ask that the President certify a clean bill of health for Cuba before travel is allowed. The amendment specifically asks the President to certify that Cuba is not developing biological weapons and that it is not providing technology, shelter or assistance to terrorists.

I strongly support President Bush's efforts to bring real democracy to the people of Cuba. We all want a better life for our innocent neighbors that have long suffered off our shores. However, in our rush to help the oppressed people of Cuba, let us ensure we are not strengthening a regime that is now running a terrorist comfort station.

Our job is to look out for the national security of the United States of America and Americans at home and abroad. This is a simple amendment to give us an extra measure of assurance in that area. Should the administration determine that the Cuban-Castro regime passes the test, then there is no problem with those who object to this amendment. If he does not pass the test, then there is every reason why this amendment should pass.

Mr. MCGOVERN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentlman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. MCGOVERN. Mr. Chairman, I rise in very strong opposition to the amendment offered by the gentleman from Florida.

I have the utmost respect for the chairman of the Permanent Select Committee on Intelligence and my colleague on the Committee on Rules, but I am disappointed that he would offer this amendment, which further restricts the ability of U.S. citizens to travel to Cuba. And let us be clear, that is the only thing the Goss amendments would do, keep Americans from traveling to Cuba.

If Members are seriously alarmed about bioweapons being developed or exported by Cuba, then serious action is required, not this. The United States should present to our allies and the international community information backing up these claims. But we have not done so.

The United States should call upon the United Nations and the OAS to form a reputable inspection team, send it to Cuba, investigate these allegations and determine whether or not they have merit. We are not doing that either.

Officials from the Bush Administration should be informing all relevant committees, Members of Congress and the press of the documentation they have to back up their claims. But that is not happening either.

Instead, high officials of the Bush Administration have deliberately distanced themselves from the one individual, Under Secretary of State John Bolton, who made such claims in a May 6 speech at the Heritage Foundation.

Following Mr. Bolton's remarks, Secretary of Defense Donald Rumsfeld was asked about the matter. He replied that he had not seen the intelligence to back up such charges. Secretary of State Powell, the U.S. has always stated that Cuba has the capacity to develop such bioweapons, but there was no information that Cuba had developed offer was exporting bioweapons technology.

In hearings in the other body, not only did the State Department refuse to allow the Under Secretary of State Bolton to testify on this matter, but the person they did send, Assistant Secretary of State for Intelligence and Research Carl Ford, Jr., stated that he had no evidence to back up the suggestion that Cuba was working on the development of biological weapons or passing that technology on to rogue states. He concluded that the State Department ''never tried to suggest that we had a smoking gun.''

The possession, development or export of such bioweapons by Cuba or any other weapon of mass destruction has not been cited in any CIA, Pentagon or State Department report issued over the past decade, including those wholly researched, written and issued by the Bush Administration.

The State Department's own May 2002 report on global terrorism issued 3 weeks after Bolton's charges made no mention, not even a hint, of bioweapons in Cuba. The July 11 letter sent by Secretaries Powell and O'Neill to the Committee on Appropriations chairman, the gentleman from Florida (Mr. YOUNG), does not mention Cuba developing bioweapons. And the July 18th statement of the administration policy issued by the White House, also no mention of bioweapons development in Cuba.

Certainly, Mr. Speaker, Cuba has the capability to develop and manufacture such weapons. But, then again, so does every single country in the world that produces aspirin.

The President has stated clearly that he wants no changes in the restrictions on Cuba; he supports the status quo. He has absolutely no incentive to certify, no incentive to prove or disprove the charges made against Cuba.

The gentleman from Florida has crafted an amendment that he knows the administration has no intention of ever pursuing, let alone certifying. The amendment, if approved, overrides every other measure passed by Congress to lift the restrictions on travel to Cuba. Even if the Flake amendment once again passes overwhelmingly, it would not be able to go into effect.

I wish the gentleman would have simply opposed the Flake amendment and let the chips fall where they may, because if you are serious about fighting terrorism, you do not go about it by adding more restrictions on the right of American to travel freely to Cuba.

This amendment trivializes the war on terrorism. It accomplishes nothing. It is just the latest effort in a series of efforts to thwart the overwhelming will of the majority in both bodies to lift the restrictions that prohibit U.S. citizens from traveling to Cuba.

This is not a debate, Mr. Chairman, about trusting Castro, it is about trusting the American people. I urge my colleagues in the strongest possible terms to oppose the Goss amendment.

Mrs. EMERSON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentlewoman from Missouri is recognized for 5 minutes.

There was no objection.

Mrs. EMERSON. Mr. Chairman, I rise in opposition to the Goss amendment for one primary reason, and that is because its purpose is to undo what our colleague, the gentleman from Arizona (Mr. FLAKE) will offer following this, and that is an amendment to end the travel ban to Cuba. First of all, I just want to go through a few points about this.

Number one, a main premise, if we all remember, of American policy toward the former Soviet bloc that was enshrined in the 1975 Helsinki Accords was that travel restrictions should be ended. From the American perspective, the purpose was to expose closed societies to western influence.

If, in fact, that was the premise then, it should be the premise today, and anything that would stop us, as the Goss amendment would do, would, in fact, not allow us to spread our values, our democratic society, to those people who desperately need it, those people in Cuba.

Like many people, and any people who have lived under communism, Cubans want contact with the rest of the world and not isolation from it, and they do benefit materially from foreign visitors. Contact with foreigners brings information, news and foreign influence. It erodes the information monopoly that the government and the communist party attempt to maintain.

In spite of what anyone will say, and having been on two occasions to Cuba, tourist dollars do reach the people directly. Think of Cuba's artisan markets, the bicycle taxies, the private taxies, the private restaurateurs, the thousands of Cubans who rent their rooms to tourists, this is the 4 percent of the Cuban workforce that is employed as private licensed entrepreneurs.

No, it is not nearly enough, but it is a beginning. They live largely on the money tourists spend when visiting Cuba.

Then there are the hotel and restaurant employees, who do earn tips, some directly, some because all employees in a hotel pool the tips and divide them. They get dollar wages, they get dollar bonus, but, most of all, they do get the money that Germans, Spaniards and French and all the other tourists to Cuba give them, perhaps under the table, but they do have this to supplement their income.

Finally, tourist spending has a secondary impact. Cuba's farmer's markets and the private farmers who supply them, and all the small entrepreneurs prosper when tourism is up and artists, restaurateurs, taxi drivers, bellhops and chambermaids have disposable income. American tourism would make this entire Cuban private sector boom.

I, quite frankly, do not understand what anybody is afraid of, why people are afraid for Americans to travel to Cuba. In my opinion, it would only help the Cuban people in the long run.

Mr. BALLENGER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. BALLENGER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Florida (Mr. GOSS). The chairman of the Permanent Select Committee on Intelligence is raising a reasonable point. In his amendment he is asking that before we lift the Treasury Department restrictions on travelers spending money in Cuba without a license, we should get some answers to some critical home security questions: Does Cuba have an offensive biological weapons capability? Is Cuba sharing dual use biotechnology with rogue states? Does Cuba harbor and support terrorists?

Our administration has released statements approved by our intelligence community that say that our government believes the answer to the first two questions is yes. As for the third question, Cuba is on the State Department's list of state-sponsored terrorism.

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We need to take a closer look at these potential threats to our citizens. That is what the Goss amendment does. It says to the President, look into this and certify to Congress whether these things are true. There are also some commonsense questions about Cuba's possible motives for developing biological weapons that we ought to be asking. Why is it that the government of this poor nation has poured many, many millions of dollars into developing a biotech industry? Can we really accept at face value Cuban claims that they are only pursuing medical research? Cuba has on numerous occasions over the years falsely accused the United States of deploying biological agents against Cuba. Could such paranoia motivate the regime in Havana to develop biological weapons? Since the Cuban regime says it fears a U.S. invasion, is it possible that such a perceived threat would motivate the Cubans to develop offensive biological weapons?

I urge my colleagues to support the Goss amendment so Congress could get the answer to these questions.

Ms. ROS-LEHTINEN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentlewoman from Florida is recognized for 5 minutes.

There was no objection.

Ms. ROS-LEHTINEN. Mr. Chairman, I rise to lend my strong and unequivocal support to the amendment offered by the distinguished gentleman from Florida (Mr. GOSS), chairman of the House Permanent Select Committee on Intelligence.

This is an amendment which seeks to protect our citizens from the imminent

threats emanating from a state sponsor of terrorism, a declared enemy of the United States in our own backyard. On Tuesday of just this week, President Bush presented his national strategy for homeland security, and in it he outlined what is the beginning of a long and difficult struggle to protect our Nation from the threat of terrorism. It establishes a foundation upon which to organize our efforts and it provides initial guidance to prioritize the work ahead, and two of the most important objectives include preventing terrorist attacks within the United States and reducing America's vulnerability to terrorism. The Goss amendment before us, Mr. Chairman, accomplishes just that.

The Castro dictatorship, a totalitarian regime long known to be a safe haven for terrorists and a nerve center for international espionage, is a continuing and growing threat to our national security that we cannot afford to underestimate. We must be acutely aware of the reality that the closest foreign staging ground friendly to terrorist elements is a mere 90 miles from our borders.

The Goss amendment recognizes the inherent danger posed by this dictatorship whose maniacal leader has pledged to ''bring America to its knees,'' a regime which along with other pariah states plays a critical role in abetting and facilitating terrorist operations, a regime with an expansive network of spies, equipment, and facilities that are targeting military, political, and economic information from and about the United States only so that they can share it with other terrorist nations. Without the provisions by rogue states such as Cuba of training facilities, sanctuary, financial support, safe havens and other passive forms of support, many terrorist groups would find it far more difficult to continue to operate.

To reiterate, the Goss amendment acknowledges this reality and it implements steps to help us counter the threats stemming from a nation so close to our own. Further, it establishes a mechanism to address and protect our great Nation from a new wave of terrorism, one potentially involving the world's most destructive weapons. Our enemies are working to obtain chemical, biological, radiological, and nuclear weapons for the purposes of wreaking unprecedented damage on America. The Castro regime is no different, Mr. Chairman. Dr. Ken Alibek, the former head of the Soviet Biological Weapons program, has referenced in congressional testimony the existence of a center close to Havana involved in military biological technology. He asserts that the Castro regime has the capacity and the desire to develop such biological weapons. And the former director of research and development at Cuba's Center for Genetic Engineering and Biotechnology, Dr. Jose de la Fuente, has detailed the Castro regime's sales of technology to Iran which could be used to produce lethal agents like anthrax.

The concerns are not new nor are they limited to the statements by Under Secretary John Bolton earlier this year. In 1997 a Defense Intelligence Agency report raised concerns about Cuba's potential for a biological weapons program. This is a very real possibility and one which the Goss amendment seeks to address. The Goss amendment is crucial to reducing our vulnerability to the threats posed by Cuba's terrorist regime, by requiring a presidential certification that the regime is not facilitating nor engaging in any of the following three fronts critical to our homeland security efforts. It requires proof that the Castro regime first does not possess and is not developing biological weapons.

Do we not want that assertion that it does not provide terrorist states technology that could be used to produce, develop, or deliver biological weapons, do we not want such proof?

And, lastly, the regime must state and the President must certify that it does not provide support or sanctuary to international terrorists.

Mr. Chairman, following the deplorable acts of September 11, President Bush divided the world into two camps with a basic guiding principle, ''Either you are with us or you are with the terrorists.'' Ironically enough, today the United States is facing the same question and that is what the Goss amendment seeks to address today, and I urge my colleagues to adopt the Goss amendment.

Mr. ROTHMAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from New Jersey is recognized for 5 minutes.

There was no objection.

Mr. ROTHMAN. Mr. Chairman, first let me thank the distinguished and honorable gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Maryland (Mr. HOYER), the ranking member, for all their work in crafting a bill that deserves all of our support. I am proud to serve with them on the Subcommittee on Treasury, Postal Service and General Government, and I thank them for their leadership.

I come here this evening, however, to wholeheartedly support and endorse, and I ask my colleagues to support, the Goss amendment. In my opinion, the United States should not lift the travel ban to Cuba until several important conditions are met. Foremost on this list of conditions is the requirement that Cuba return convicted American fugitives now living in Cuba who have been given sanctuary in Cuba by the Castro government.

My passion for this particular condition is rooted in the 74 cases of American fugitives from justice now living under Castro's protection in Cuba.

Let me tell my colleagues about one of these fugitives from American justice. Joanne Chesimard, a convicted cop killer. On May 2, 1973, New Jersey State Troopers Werner Foerster and James Harper pulled over Joanne Chesimard and two of her companions in a routine traffic stop. A shoot-out began and Trooper Foerster, who had served on the force for less than 3 years, was shot and killed. Trooper Harper was wounded.

A jury here in the United States of America, a jury found that Trooper Foerster had been shot in the back of his head, execution style, at point-blank range. The jury convicted Joanne Chesimard of murder and sentenced her to life in prison. But she escaped in 1979 with the help of four accomplices when they took a prison guard hostage, a prison van was driven, and she was permitted to escape. She lived underground in America for 4 years until she found sanctuary in Castro's Cuba where she lives today, free, enjoying the protection of the Castro government.

In addition to Joanne Chesimard, a convicted U.S. cop killer living in Castro's Cuba under his protection today, there are 73 other fugitives living under Castro's protection in Cuba, including Victor Manuel Gerena, an armed robber and a member of a terrorist group who has carried out bombings of U.S. military and civilian targets and is a member of the FBI's 10 Most Wanted List, as well as Michael Robert Finney and Charles Hill, who are wanted for the murder of New Mexico State Police Officer Robert Rosenblum.

Mr. Chairman, the United States of America should not allow Fidel Castro, Cuba's dictator for the last 43 years, to enjoy the financial benefits of America's tourism until he returns Joanne Chesimard, the convicted cop killer, and until he returns the other 73 fugitives from American justice.

It is only fair, it is only right. What do we say to the widow of Werner Foerster and his child? What do we say to all of the other victims of terror, American victims of terror and their children and their relatives if we do not seek justice for the fugitives given sanctuary by Castro today in Cuba?

If we simply remove the travel ban without any regard to these fugitives now under Castro's control, we say to any terrorist who would kill a United States trooper, State trooper or any other first responder, we would say to those terrorists, those murderers, it is okay, you can escape American justice, even if you are caught and convicted by a U.S. jury, if you can escape to Cuba. That is wrong, I say to my colleagues. We should not allow travel to Cuba until Castro returns the 74 fugitives from American justice.

Mr. Chairman, I support the Goss amendment, and I ask all of my colleagues to do so.

Mr. MCGOVERN. Mr. Chairman, will the gentleman yield?

Mr. ROTHMAN. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chairman, I would simply say to the gentleman

that I agree with him that we need to bring fugitives who have committed crimes in this country to justice, not only in Cuba, but in other countries, including some of our allies who we do not have extradition treaties with. Perhaps the gentleman would urge the United States to try to negotiate an extradition treaty with Cuba in order to get those fugitives back to the United States where they can stand trial, rather than deny U.S. citizens freedom.

Mr. ROTHMAN. Mr. Chairman, reclaiming my time, I would do what the gentleman suggests, but I am not going to before that allow Castro to have the benefits of tourism from the United States until he returns these cop-killers and 74 fugitives back to the United States.

Mr. COX. Mr. Chairman, I move to strike the last word, and I rise in strong support of the Goss amendment.

The CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. COX. Mr. Chairman, very shortly, we will see the anniversary of September 11. At this point, reflecting back on the events of last year, we can take comfort that the entire civilized world has joined us in condemning the acts of terrorism committed here in Washington, in New York, and in Pennsylvania. Nowhere has this support for our war on terrorism been stronger than in our own hemisphere where the leaders of every nation have joined in our fight; all, that is, except one, because the Castro regime does not support the war on terrorism.

President Bush asked the leaders of the civilized world to declare themselves with us or against us, but the Castro regime has made it very clear that they oppose the war on terrorism.

According to Secretary of State Colin Powell and Secretary of the Treasury Paul O'Neill, in an extraordinary joint letter to Congress: ''The Cuban government has refused to cooperate with the global coalition's efforts to combat terrorism, refusing to provide information about al Qaeda.''

''On June 8, 2002,'' and I am still quoting from this letter from the Secretary of State and the Secretary of the Treasury, in an extraordinary joint letter to Congress, ''On June 8, 2002, Castro compared the U.S. campaign against terrorism with Hitler's Third Reich. Castro said, 'What is the difference between America's antiterrorism philosophy and those of the Nazis?'''

It does not end there. Cuba is working with the government of Iran and Ayatollah Ali Khamenei to undermine America. In a meeting with Khamenei last year, Castro said that in cooperation with each other, Iran and Cuba can destroy America. He added that, ''The United States regime is very weak and we are witnessing this weakness from close up.''

Senior State Department officials have discussed publicly the threat of Cuba's bioterrorism program.

□ 1745

As we rush to protect our citizens from small pox and anthrax, Castro is diverting the resources of his desperately poor economy to offensive biological warfare research and development. And he is selling bio-technology to other rogue states. Even more than with al Qaeda terrorists based in Afghanistan, Pakistan, or Somalia, Cuba's geographic proximity to the United States offers Castro's agents opportunities to gain access to U.S. territory and to our critical infrastructure.

In this connection, the current regulations on U.S.-Cuba travel are a crucial tool for law enforcement to prevent the use of bio-weapons against the American people.

Today we will vote on legislation to lift aspects of the embargo on Cuba. The Goss amendment will only take effect if this Chamber votes to do so. It requires a Presidential precertification to Congress before such a new law would take effect of three things: first, that Cuba does not possess and is not developing biological weapons that threaten the homeland security of the United States; second, that Cuba is not providing to terrorist states or terrorist organizations technology that could be used to produce, develop or deliver biological weapons; and, third, that Cuba is not providing support or sanctuary to international terrorists.

These are exceedingly reasonable and vitally important questions to have answered. And if President Bush cannot give Cuba a clean bill of health on these three questions, then, lifting any aspect of the embargo must be dependent upon Castro's beginning to change these practices.

The embargo and the promise of lifting it provides the necessary leverage for the President to achieve our antiterror objectives. If Congress were to give the Castro regime the trade and tourism dollars they now seek without any reform in exchange, we would simultaneously undermine U.S. policy and subsidize our hemisphere's most notorious state sponsor of terrorism. Castro, for his part, would use any easing of the embargo to redouble his efforts to undermine America and to tighten his grip over the Cuban people, but we must not give him that chance.

As we continue to wage the war on terrorism, now is the time to fully support President Bush by giving him the tools he needs to win. I urge my colleagues to vote ''aye'' on the Goss amendment.

Mr. FARR of California. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. FARR of California. Mr. Chairman, I appreciate being recognized.

Let me ask Members to consider what this amendment is about. It is not about terrorism. It is about trying to destroy the amendment that the gentleman from Arizona (Mr. FLAKE) will offer that will allow Americans to travel to Cuba. Yes, this amendment coats itself in words about terrorism, but if it were serious you would not allow Canada to send all of their people to Cuba because of terrorism; you would not allow the European allies that are helping us send all of their folks to Cuba. In fact, what this amendments says is that travel to Cuba shall apply only after the President has certified to Congress that the Cuban Government does not possess and is not developing a biological weapons programs that threatens the homeland security of the United States.

The President cannot certify that about our own country. Where did the anthrax come from?

We allow our tourists to go to China. We could not certify these things about China. We allow our tourists to go to North Korea, and we could not certify these things about North Korea. We allow our own tourists to go to Iran, and we certainly could not certify these things about Iran. This is an issue to kill the Flake amendment.

The only wise thing to do if you really want the ability of Americans to sell the American message, to sell what it is about America that we love and possess is to allow Americans travel to a tiny little island with 11 million people.

We are asking the question in the Middle East, Why do they hate us? What do you think the Cuban people are asking? Why do the Americans hate us so much that they will not allow their own people to come here to our country?

If we want to prohibit Americans from traveling to Cuba, then we ought to support the Goss amendment. But if you really think after 40 years of failed policy we ought to try something different, then you ought to join me in defeating the Goss amendment.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. CUNNINGHAM. Mr. Chairman, I rise in strong support of the Goss amendment. The sanctions on Cuba remind me of the people that want to lift those sanctions as the turtle and the snake story. A snake came up to the river and could not swim across it. So he asked the turtle, Please let me climb on your back and take me cross the river. And the turtle said, I cannot do that because when I get on the other side, you will sink your fangs into me put venom into me and kill me. The snake said, Trust me. I will not do that. So the turtle says, Hop on my back. And the turtle takes the snake across and just as they get to the other side, the snake sink his fangs into the turtle and envenomates him. The turtle said, But you gave me your word

that you would not bite me, you would not kill me. And the snake turned to the turtle and said, I do not know what you are complaining about, you knew it was in my nature.

This is in Castro's nature. Have we forgot about Che Guevara? Have we forgot about Angola? Have we forgot about the MIAs and the prisoners of war that died under his henchmen, his interrogators in Vietnam? I remember that. And until those people are brought to justice, the 74 people that Castro is harboring that are cop killers, and we are even conceiving of lifting the embargo on Castro. It is amazing.

There is documented evidence that Castro works with terrorist organizations and groups. Iran, with a recent visit, biological warfare; and we are considering raising these sanctions? Remember the Bay of Pigs? You do not think he would not put missiles there and use them on us?

Think who Castro is. Look at the history of this man and you want to allow the snake to climb on the United States' back and trust him? I cannot do that. It is wrong.

I look at Elian Gonzalez. Maybe if you are Janet Reno this would be okay; but to me and those who have fought for this country, to allow someone that in every case in every place, when I was in the United States Navy when we would go when Cuba was getting money from Russia, we would have Cuban advisors there, Cubans in Vietnam, Cubans in Angola, Cubans in every place that the United States were going to go, ready to kill Americans, and you want to lift the embargo? It is beyond comprehension.

I guess the best thing is the President will veto it. Maybe you are trying to make a political issue, but the President is going to veto this if it goes in. But Cuba is the only nation in the hemisphere where political activity of all kinds is a crime. Take a look at what this man is. And you are trying to raise those sanctions? Do not let him on our backs. I support the Goss amendment.

Mr. NETHERCUTT. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. NETHERCUTT. Mr. Chairman, I have listened to part of this debate today and find it interesting. This subject is fascinating to me, and I have great respect for people on both sides of the issue.

What strikes me in this amendment is that we are debating not the future of the United States' relationship with Cuba, but we are trying, it seems to me by this amendment, to restrict that future and the potential for it. It is couched in terms of bio-terrorism and chemical warfare, but it is an inconsistent argument because if you look at the history of the United States and its relations with other countries of the world who have had terrorist tendencies, terrorist records, we only need look to the places like the Soviet Union and China with which we normalized relations, an opening of a relationship, an opening years and years ago that led to a relationship of civility and some respect mutually, some relationship, in fact, rather than isolation.

That is why I urge my colleagues today to think carefully about this issue of this Goss amendment. The gentleman from Florida (Mr. GOSS) is a strong figure in this House of Representatives. I have great respect for him. I also feel the same way about the gentleman from Arizona (Mr. FLAKE), whose approach to change this policy in his amendment really, it seems to me, is being thwarted by a secondary amendment that has a purpose that should not be the one we focus on today. The focus ought to be, in my judgment, the relationship between the United States and Cuba post-Castro.

I will stand with everyone here in condemning the regime of Fidel Castro, but I will stand with a lot of people in this Chamber who support the 11 million people and the potential relationship we could have with them if we have a change in policy.

This policy has not worked. Castro has not yielded to the embargo that has existed for all these years. And so my sense is that as we open the door to trade, the door to a relationship through food and medicine which occurred here a couple of years ago with broad bipartisan support, that has opened the door to a future relationship which I think has merit, not as it relates to Castro certainly, but as it relates to the Cuban people.

When we engaged with the Soviet Union years and years ago, it led to a relationship that has been one of mutual discussion and consideration, not isolation. We never in all the years of Soviet Union ownership of weaponry, of terrorist activity, of spying, of all of those things that we object to in a free society, we never restricted the travel there.

In China, people travel there regularly now. There are 13 categories of travel that exist today for people of the United States to go to Cuba. And most of the proponents of the restrictive amendment, I would argue, have never been to Cuba, have never had a chance to talk with any of the people there on that soil and get a sense of what the future potential is for a relationship.

I want to let my colleagues know that the American Farm Bureau Federation strongly supports the Flake amendment, strongly opposes the Goss amendment for reasons that our American agriculture sector has a huge potential, I believe, to do business with Cuba, that is, take Castro's money, take the government of Cuba's money and provide food and medicine for the people of Cuba, to assist them.

So I urge us to think beyond just the issue of terrorism that I happen to feel is something of a pretext here to frustrate the Flake amendment and think carefully about the future relationship. Think carefully about whether we are harming the potential future relationship for helping it, as we look at the 11 million people who are in Cuba who yearn to be free, I would argue. And I think only by opening your relationship, having communication, letting them understand that America should not be the scape goat of Fidel Castro. It is a convenient scape goat for him, this embargo. He must love it because it allows him to rail against the United States when, in fact, probably his worst nightmare would be if we lifted the opportunity to travel and flooded the people of Cuba with exposure to democracy and freedom. That would be his worst nightmare.

So I would just say to my friends, this is a highly emotional debate for a lot of people. People feel very strongly about this issue, but I would urge we reject the Goss amendment and support the Flake amendment.

□ 1800

Mr. DELAHUNT. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Massachusetts (Mr. DELAHUNT) is recognized for 5 minutes.

There was no objection.

Mr. DELAHUNT. Mr. Chairman, I know some of my friends on the other side are concerned about or they have expressed their fears about bioweapons and bioterrorism, but I think I should point out that General Gary Spear who is the commander of the U.S. Southern Command said just recently in a New York Times article that he knows of no evidence that Cuba is producing biological weapons from biomedical research programs.

Then, of course, we have the individual who should know, the Assistant Secretary of State for Intelligence and Research who testified recently before a Senate committee, Mr. Ford, Secretary Ford. In a response to a question from a Senator, he said, ''Do I go home every night and worry about it? No.'' He also said that Cuba is far from the number one concern of the people in our government who monitor chemical and biological weapon threats.

So I would hope that their fears would be somewhat alleviated, but we have an amendment before us that would, in effect, continue to subvert the constitutional right of Americans to travel by requiring a brand new presidential certification that applies to no other country but Cuba.

For example, it would not apply to China, where just recently nine Chinese companies, presumably owned by the People's Army, sold goods and technology to Iran, where they were used for conventional and chemical weapons programs, but no need for certification when it comes to China. In fact, recent reports indicate that the United States is contemplating an expansion of our military ties with that

Communist government, but certification of Cuba, of course.

Some might suggest that not only is this inconsistent but hypocritical. While on the subject of Iran, I think it was the gentleman from California (Mr. COX) that talked about Iran, and remember, that is one of the originals in the axis of evil, but no need for certification there either.

This amendment does not mention Iran, and in case my colleagues did not know, Americans can travel to Iran today without a license. Supposedly we are worried about Iran and its support for terrorist organizations like Hamas and Hezbollah. In fact, our own State Department recently announced that Iran remained the most active State sponsor of terrorism in 2001, but there is no certification for Iran in this amendment.

Again, some might suggest that this is hypocrisy, and then what about North Korea, the other in the troika of the axis of evil. Surely one would believe that this amendment would include North Korea in its certification requirements, especially since there is no U.S. policy prohibiting travel to North Korea if an American citizen wants to exercise his or her constitutional right. Furthermore, we have an agreement with North Korea where we give them hundreds of millions of dollars of aid annually for not pursuing a nuclear weapons effort. I bet the Cubans would love that deal. The North Koreans are not included in this amendment. Inconsistent, hypocritical, I do not know.

Then, of course, one might expect that there would be a certification requirement in this amendment for Saudi Arabia, since 15 of the 19 hijackers who were responsible for the death of more than 3,000 Americans on September 11 were Saudi citizens. Of course, there appears to be compelling evidence that Saudi money went to support the extremist religious schools, the so-called madrassas that are a breeding nest for terrorists, but no, they are not included either, despite being one of the most oppressive regimes on the planet. Maybe, just maybe, if Cuba had a few massive oil reserves, this amendment would not be before us.

Again, I think it opens us to charges of inconsistency at best and hypocrisy at worst. We could discuss other nations, Syria, Sudan, both of which Secretary Bolton said may be pursuing biological weapons, but I think my colleagues get the picture.

This amendment makes no sense. It does not pass the smell test. It is not about terrorism or foreign policy. It is about domestic politics, and it deserves to be defeated.

Mr. HYDE. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Illinois (Mr. HYDE) is recognized for 5 minutes.

There was no objection.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, I listened to the speeches, impassioned on both sides, and they are very instructive. Someone mentioned 11 million Cubans yearning to be free. The only advice I would give them is do not get in a boat and try to get out into the ocean because they will get shot alive.

I have heard comparisons of our attitude toward China and my colleagues are perfectly right. It is very inconsistent. China is so big, it is like when banks go bankrupt. It is too big to fail. Our attitude towards China is one that I have difficulty supporting because of their human rights, but that does not, in any way, diminish the offensiveness of the Castro regime.

A friend of mine, he is deceased now, Vernon Walters, had a great description of Cuba. He said it is the biggest country in the world. Its administration is in Havana, but its government is in Moscow; its army is in Africa; and its population is in Miami. That is not true anymore, but it is a good line, and I would like to revisit it.

On this bill, a country that cannot recognize its enemy is in great difficulty, and Cuba, under the Castro regime, is certainly our enemy. What does this simple amendment do? It says the President has to certify that Cuba is not developing biological weapons. Does anyone think it is a healthy state to have an avowed Marxist enemy of the United States developing biological weapons; is not providing state sponsors of terrorism or terrorist organizations with technology to create biological weapons, and is not providing sanctuary of international terrorists?

Listen, he is the last Communist dictator in our hemisphere, one of the few left in the world, including China, and he is an outlaw. He ought to be treated as an outlaw.

Earlier this year, the State Department publicly released unclassified information cleared by our intelligence community, and let me quote it. ''The United States believes that Cuba has at least a limited, developmental, offensive biological warfare research and development effort. Cuba has provided dual use biotechnology to rogue states. We are concerned that such technology could support biological warfare programs in those States.''

The State Department has repeatedly designated Cuba as a State sponsor of terrorism. Cuba harbors fugitives from the Basque terrorist group ETA. Cuba also harbors fugitives from U.S. justice, including people who have murdered American police officers. Cuba harbors members of the FALN-Macheteros terrorist organization.

They are not a friendly country. They hate America and there is no reason for us to embrace them and to have them point and say, well, we outlasted you, you are out of breath and so you are surrendering.

I think Mr. Castro deserves to be treated as an outcast. We are treating him as such, and if we just persist, sooner or later he will leave. It is Cuba that must change its policy. He could do that if he wanted to. He is an enemy and he should be isolated as one. The gentleman from Florida (Mr. GOSS) knows what he is talking about. He is chairman of the Permanent Select Committee on Intelligence, and I put my trust in him.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

There was no objection.

Mr. BLUMENAUER. Mr. Chairman, this afternoon's debate is not about American security or about support for Castro's regime. It is not even about business opportunities that may avail should we change our failed policy. This afternoon's debate is about an attempt to continue to extend this failed policy from the last 42 years.

We have heard people come forward already this afternoon, making the point that it is really hard to argue that Cuba is a serious threat to United States security. It has not been named as a state that possesses biological or chemical weapons. It was not mentioned in the State Department's 2000 report of the worrisome states pursuing or possessing biological or chemical weapons.

Despite all the recent hoopla regarding Under Secretary of State John Bolton's notion of Cuba being a bioterrorist threat, the State Department's been sort of backing away from that ever since. No, even if that were, in fact, the case, Mr. Chairman, what we have before us here this evening is that there is really no cause and effect between what is purported in terms of terrorism and what is before us to vote upon.

As has been mentioned, we allow Americans to travel to China, to Vietnam, to the axis of evil in Iran and North Korea, which I think many people feel do pose real threats, but we are not coming forward with that. In fact, we would be coming forward with a certification process that cannot be done as has been referenced by my colleague from California for this country, as well as many other countries where we permit travel. It is very likely to be an intensely political decision given the nature of domestic politics.

Mr. Chairman, it is time to free America from the shackles of this failed policy, but most important, it is not about trying to have Americans there to change practices in Cuba. Although, I truly believe that by having the free flow of people in and out of Cuba, that it will hasten the day that there is a change in the Cuban regime.

People here on this floor ought to be outraged with the interference with the American's constitutional right to travel. Former Supreme Court Justice Douglas said the ''freedom of movement is the very essence of our free society, setting us apart. It often makes all other rights meaningful.''

Americans have the right to travel the world, to make their own judgments, whether it is in Burma, in China, Iran or North Korea. It is high time that we stop the tyranny of domestic policy that is interfering with the rights of Americans to be able to travel to Cuba as they see fit, to make their own judgments and, incidentally, hasten the demise of that regime.

I strongly urge the rejection of this amendment, and as we have the proposals that come forward later in the evening from the gentleman from Arizona (Mr. FLAKE), that would move us incrementally towards a sense of rationality, I strongly urge support for them as well.

□ 1815

Mr. DELAY. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. DELAY. Mr. Chairman, while Members may disagree about the impact that increased trade and unrestricted tourism could potentially play in reforming Castro's ruling regime, there is overwhelming opposition to any action that would compromise the war against terror.

We have ample reason to suspect that Castro is developing weapons of mass destruction. America cannot allow a hostile regime just 90 miles from our shores to develop the world's most dangerous weapons. That is the difference between Cuba and China. That is the difference between Cuba and North Korea. Ninety miles. For that reason, we must completely be confident that Castro's regime is not either producing biological weapons or supporting terrorist organizations before any steps to relax the embargo are contemplated.

Castro's Cuba has a long track record of hostility towards the United States, and freedom in general. Castro has long given refuge to terrorists and violent fugitives, and the Goss amendment raises a firewall between American tourism and Cuban biological weapons development and support for terrorist organizations.

Castro's regime is a threat to our national security and a source of daily oppression to the Cuban people. Cuba has sponsored, trained, and directed terrorist groups operating in our hemisphere. History proves it. Cuban officials regularly collaborate with other state sponsors of terrorism. Just last year, Castro visited Libya, Syria and Iran, saying in Tehran, ''Iran and Cuba, in cooperation with each other, can bring America to its knees.''

Cuban intelligence seeks to penetrate our Defense Department. A Cuban spy in the Defense Intelligence Agency, just discovered after September 11, could have passed valuable information on American tactics and methods to hostile regimes through Castro's government and endangered our soldiers.

A Cuban spy cell, the so-called ''Wasp Network,'' targeted our southern command and passed on information leading to the downing of a Brothers to the Rescue plane with Cuban migs.

Despite U.S. appeals, Cuba has done nothing to cooperate in the war against terrorism. The State Department reports that Cuba has not turned over a single piece of useful information on al Qaeda and the terrorism networks. Castro and Cuban officials frequently attack the war on terror as American aggression. On June 8, just last month, Castro asked, ''What is the difference between the American war on terror's philosophy and methods, and those of the Nazis?''

We know that Cuba has been working to develop weapons of mass destruction for years. Under Secretary of State John Bolton recently testified that the United States believes that Cuba has at least a limited developmental biological warfare research and development effort.

The Goss amendment protects our national security by shielding funding for travel ban enforcement unless the President first certifies that the Cuban Government does not threaten our homeland security. Specifically, the President must make three very critical determinations that make good common sense:

First, Cuba does not possess and is not developing a biological weapons program; second, Cuba is not providing terrorist states or terrorist organizations with the technology to build or use bioweapons; and, third, Cuba is not providing support for our or sanctuary to international terrorists. Very simple, straightforward commonsense approaches.

Two generations ago, President Kennedy called Castro's Cuba ''the unhappy island.'' Four decades later, life for the Cuban people has only gotten worse under Fidel Castro's brutality. They are stripped of basic human rights, they are denied political rights, and they are deprived of the hope to improve their lives because Cuba still has not joined the 21st century.

We should never stop working to bring freedom to Cuba. But until we can be certain that Cuba poses no threat to our national security, Congress should take no step that inadvertently strengthens the Castro regime and compromises our campaign against terror. Members should support the Goss amendment because it will ensure that the price of Cuban tourism will not eventually be measured in American lives.

Mr. YOUNG of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WALDEN of Oregon) having assumed the chair, Mr. DREIER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5120) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

PIPELINE INFRASTRUCTURE PROTECTION TO ENHANCE SECURITY AND SAFETY ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3609) to amend title 49, United States Code, to enhance the security and safety of pipelines, as amended.

The Clerk read as follows:

H.R. 3609

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49, UNITED STATES CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Pipeline Infrastructure Protection to Enhance Security and Safety Act''.

(b) AMENDMENT OF TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

(c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of title 49, United States Code; table of contents.
Sec. 2. One-call notification programs.
Sec. 3. One-call notification of pipeline operators.
Sec. 4. Protection of employees providing pipeline safety information.
Sec. 5. Safety orders.
Sec. 6. Penalties.
Sec. 7. Pipeline safety information grants to communities.
Sec. 8. Population encroachment.
Sec. 9. Pipeline integrity research, development, and demonstration.
Sec. 10. Pipeline qualification programs.
Sec. 11. Additional gas pipeline protections.
Sec. 12. Security of pipeline facilities.
Sec. 13. National pipeline mapping system.
Sec. 14. Coordination of environmental reviews.
Sec. 15. Nationwide toll-free number system.
Sec. 16. Recommendations and responses.
Sec. 17. Miscellaneous amendments.
Sec. 18. Technical amendments.
Sec. 19. Authorization of appropriations.
Sec. 20. Inspections by direct assessment.
Sec. 21. Pipeline bridge risk study.
Sec. 22. State oversight role.

SEC. 2. ONE-CALL NOTIFICATION PROGRAMS.

(a) MINIMUM STANDARDS.—Section 6103 is amended—